

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32303 of 2023

Arising Out of PS. Case No.-817 Year-2022 Thana- DEHRI TOWN District- Rohtas

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LAKKI KUMAR @ SHERA Son of Late Surendra Singh @ Late Surendra Kumar Singh Resident of village - Bheria Tola, New Dilliyan, P.S. - Dehri (Town), Distt. - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 35.920 liters of liquor from the paddy field.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that even alleged recovery is from a place which does not belong to him and he came to be implicated based on



confessional statement of his sister in law in police custody which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dehri (Town) P.S. Case No. 817 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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