

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34956 of 2023

Arising Out of PS. Case No.-216 Year-2021 Thana- NARHATT District- Nawada

LAKHI RAJBANSHI Son of Ramswarup Rajbanshi Resident of Village -
Pandey Dih, P.S.- Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-06-2023 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 has antecedent of three cases and allegation is of recovery of 20 liters of liquor from a Bajaj Motorcycle.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value, it is next submitted that the petitioner is not the owner of the seized



vehicle and he came to be implicated because of his antecedents by police through Sailesh and Uday.

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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Narhat P.S. Case No. 216 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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