

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41817 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- SINGHIYA District- Samastipur

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KANHAIYA KUMAR SAHU @ KANHAIYA SAHU @ KANHAIYA SAH
S/O GULCHAN SAH @ GULCHAN SAHU R/O Ward no.-4, Singhia, P.S-
Singhia, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2023 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 five cases and allegation is of
recovery of 734.400 liters of liquor from a mango orchard and
one motorcycle was also seized.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession, it is next submitted
that he came to be implicated based on confessional statement



of Chhotu in police custody which does not have any evidentiary value, it is next submitted that petitioner is neither the owner of the mango orchard nor the motorcycle belongs to him.

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. 25,000/- (Rupees Twenty Five 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 Singhiya P.S. Case No. 21 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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