

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46143 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- PANAPUR District- Saran

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SUBHASH RAY @ SUBASH RAY S/O BHUAR RAI R/O Village-
Suraudha, P.S- Baniyapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273, 420, 467, 468, 471 and 120B of the Indian Penal Code and Sections 30, 30(a), 34, 36 and 41(i) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of four cases and allegation is of recovery of 250 liters of liquor from the school of the petitioner.

4. 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 confessional statement of Rabindra in police custody which does not have any evidentiary value, it is



next submitted that no prudent person would use his own premises for committing an occurrence and thus would create evident against himself, it is further submitted that petitioner was completely unaware that Rabindra who is associated with the school would misuse the premises in the manner as alleged in the FIR.

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

6. 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Panapur P.S. Case No. 58 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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