

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47617 of 2023

Arising Out of PS. Case No.-335 Year-2022 Thana- DIDARGANJ District- Patna

RAJEEV KUMAR @ RAJEEV SINGH S/o Late Kailash Singh R/o Vill-
Sahdullapur, P.S.-Ganga Bridge, District-Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-07-2023 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 30(a),
32(2)(3), 36 and 41(1)(2) of the Bihar Prohibition and Excise
Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases.

4. Allegation is of recovery of 3609 litres of liquor
from a container.

5. Learned counsel for the petitioner submits that
petitioner was not arrested 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
Karamjeet Singh in police custody which does not have any



evidentiary value in the eye of law. It is further submitted that petitioner is not the owner of the seized container.

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

7. 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 Court below 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 court below where the case is pending/successor court in connection with Didarganj P.S. Case No. 335 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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