

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52962 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- BARURAJ District- Muzaffarpur

SUBODH BHAGAT S/O TILAK BHAGAT @ RAMSAGAR BHAGAT R/O
VILLAGE- BARURAJ DAKAHI, PS. BARURAJ, DIST. MUZAFFARPUR
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2023 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 offence punishable under Section 30(a) 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 144 litres of liquor
from a Santro Car.

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 Sanjeet Sahni
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 vehicle and because of his antecedent he came to be implicated by the police through Sanjeet Sahni.

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 Baruraj P.S. Case No. 135 of 2023, G.R. No. 504 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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