

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54058 of 2023

Arising Out of PS. Case No.-472 Year-2023 Thana- CHAPRA TOWN District- Saran

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SANJAY RAI @ SANJAY KUMAR S/o Rajkumar Rai R/o Dahiyawa, beside
Shia Masjid, PS-Twon, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhukar Anand, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Town (Saran) P.S. Case No. 472 of 2023 registered for the
offences punishable under Sections 414 and 34 of the Indian
Penal Code read with Sections 30(a) and 41(i) of the Bihar
Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 120 litres of liquor from three motorcycles found in
the asbestos house of Pashupati Rai and 19 litres liquor was
found concealed under the hay in the same house.

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 Mohan Kumar and Uma Rai in police custody which does not have any evidentiary value. It is further submitted that the petitioner is not the owner of the seized vehicle.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One 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 Town (Saran) P.S. Case No. 472 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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