

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54235 of 2023

Arising Out of PS. Case No.-298 Year-2023 Thana- CHIRAIYA District- East Champaran

SHREE NARAYAN SAH Son of Ramdayal Sah Resident of village -
Gavandri, P.S.- Kundwachainpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Rashmi Jha, Advocate Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Chiraiya P.S. Case No. 298 of 2023 registered for the offences punishable under Sections 412, 272 and 273 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of three cases and allegation is of recovery of 3780.72 litres of liquor from a tractor, further one trailor and a car were also seized.
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 the confessional statement of Nirranjan and Sanjay in police custody which does not have any evidentiary value, it is further submitted that it appears that the police because of his antecedents got him implicated through Nirranjan and Sanjay when petitioner does not have any concern with the seized vehicles and trailer.

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. 15,000/- (Rupees Fifteen 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 Chiraiya P.S. Case No. 298 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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