

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55729 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

AJAY DAS Son of Ganesh Das Resident of village - Pakri Asli Manaein, P.S.
- Sahebganj, Distt. - 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 : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-08-2023 1. Learned counsel for the petitioner seeks permission to make rectification in the name of the village of the petitioner in the cause title of the anticipatory bail application.
2. Permission is accorded.
3. Heard learned counsel for the petitioner and learned A.P.P. for the State.
4. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273/34 of the Indian Penal Code as well as Section 30(a) of the Bihar Prohibition and Excise Act.
5. Learned counsel for the petitioner submits that petitioner has antecedent of one case.
6. Allegation is of recovery of 40 litres of liquor from a hut.
7. 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 Suresh Rai in police custody which does not have any evidentiary value in the eye of law. It is further submitted that even the hut does not belong to the petitioner.

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

9. 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.5,000/- (Rupees 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 Sahebganj P.S. Case No. 119 of 2023, G.R. No. 268 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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