

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6358 of 2024

Arising Out of PS. Case No.-223 Year-2023 Thana- BALIYA District- Begusarai

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Umesh Sah S/O LATE GHURAN SAH VILLAGE- MATHURAPUR, WARD
NO. 01, BALIA, LAKHMINIAN , PS. BALLIA, DIST. BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kr Gautam

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Ballia P.S. Case No.223/2023 dated 13.08.2023, registered
for the offence punishable under Sections 30(a) of Bihar
Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and an allegation is of
recovery of 5 litres of liquor from Bablu Yadav. It is next
submitted that the petitioner was not arrested from the spot as
such nothing was recovered from his conscious possession. It is
next submitted Bablu Yadav in police custody confessed that the
liquor was to be delivered to the petitioner. It is thus submitted
that the confessional statement made before the police does not



have any evidentiary value in the eye of law.

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

5. 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.5000/- (Rupees Five thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Begusarai in connection with Ballia P.S. Case No.223/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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