

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4066 of 2024

Arising Out of PS. Case No.-161 Year-2023 Thana- PARSA District- Saran

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BACHA RAI @ BACCHA RAI S/O SAHEB RAY R/O VILLAGE- POJHI
PARSA, P.S- DERNI, DISTT.- SARAN, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-02-2024 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 offences punishable under Sections 272, 273 of the IPC and Sections 30(a) and 32(i)(ii) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 60 liters of spirit from two motorcycles as detailed in the FIR i.e. 30 liters each from both the motorcycles. It is next submitted that petitioner is not the owner of any of the motorcycles rather he came to be implicated based on confessional statement of apprehended co-accused who were arrested from the place of occurrence. It is further submitted that



confessional statement in police custody does not have any evidentiary value.

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 trial court 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 trial court where the case is pending/successor court in connection with Parsa P.S. Case No. 161 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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