

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5002 of 2024

Arising Out of PS. Case No.-196 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Raj Kumar Sah Son of Gopal Sah Resident of village- Puraina, P.S.- Barharia,
Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad
For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in connection
with Excise Case No.C-III-196/2020 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 23.775 litres of liquor from a place near the shop of
the petitioner. 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 that even alleged
recovery is from a place which does not belong to the petitioner



and he came to be implicated based on confessional statement of co-accused in police custody 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.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No.-II, Siwan in connection with Excise Case No.C-III-196/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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