

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7754 of 2024

Arising Out of PS. Case No.-671 Year-2020 Thana- ARARIA District- Araria

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SANIRAM @ SHANIRAM URAWN @ SHANIRAM URAW @ SANIRAM
S/O BANDHAN BECK @ BANDHAN URAWN R/O VILLAGE-
MOHORGON TEA GARDEN DIMBULINE, POLICE STATION-
PRADHAN NAGAR, DISTT.- DARJEELING (WEST BENGAL).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-02-2024 1. Learned counsel for the petitioner seeks permission to make rectification at para 6 of the anticipatory bail application in course of the day.
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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
5. Learned counsel for the petitioner submits that petitioner has antecedent of one case.
6. Allegation is of recovery of 3651.840 litres of liquor from a truck.
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 the petitioner is not the owner or the driver of the truck rather he came to be implicated based on confessional statement of Madhusudan Basak and Shibu Ghosh in police custody which does not have any evidentiary value in the eye of law.

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 Araria P.S. Case No. 671 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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