

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11634 of 2024

Arising Out of PS. Case No.-70 Year-2023 Thana- PATAHI District- East Champaran

Lachhuman Rai @ Laxman Rai Son of Late Ram Bahadur Rai Village-
Gamhariya, P.S.Patahi, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Singh

For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Patahi P.S. Case No.70/2023 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 38.100 litres of liquor from the hut of Bindeshwari
Rai. It is next submitted that petitioner was not arrested from
the spot as such nothing was recovered from his conscious
possession and even alleged recovery is from a place which
does not belong to the petitioner and he came to be implicated in
the confessional statement of Bindeshwari Rai in police custody,



which does not have any evidentiary value, when petitioner admittedly is a person with clean antecedent.

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 Judge, Excise Court No.2, East Champaran, Motihari in connection with Patahi P.S. Case No.70/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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