

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16772 of 2024

Arising Out of PS. Case No.-228 Year-2023 Thana- RAIL P.S. DARBHANGA
(JAYNAGAR) District- Madhubani

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Jitendra Kumar Son of Dinesh Ray Resident of village Bankaipur PS
Kalyanpur District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar
For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 14-03-2024 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 Section 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 36 litres of liquor from a sack and a bag.
4. Learned counsel for the petitioner submits that the
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 is accessible to public at large
and does not belong to the petitioner. It is next submitted that he



came to be implicated based on confessional statement of Badal in police custody which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent.

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

6. 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. 500/- (Rupees Five Hundred) 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 Darbhanga (Jaynagar) P.S. Case No. 228 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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