

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17503 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- BHAPTIAHI District- Supaul

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DHARMENDRA DAS S/o Prameshvar Das Resident of Ward No.-13,
Baktinagar Prakash, Near Kali Mandir, Silliguri M Krop Jalpaiguri, Darjiling,
State-West Bengal, Permanent Resident of Village-Rasalpur, Ward No.-6,
P.S.-Banjhpatti, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raki Alam

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-03-2024 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 1863 litres of liquor from a truck.
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 he is neither the
owner nor the driver of the seized vehicle. It is next submitted
that he came to be implicated based on confessional statement



of apprehended accused 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 Bhaptiyahi P.S. Case No. 43 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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