

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17602 of 2024

Arising Out of PS. Case No.-1038 Year-2023 Thana- BIHTA District- Patna

Manohar Ray S/o Raghubir Ray R/o Vill - Premtola, P.O. - Rampur Diara,
P.S. - Maner, Dist. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahbaj Alam

For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 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 offence punishable under Sections 30(a), 32(i), (ii) and 44 of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 30 litres of liquor from a scooty. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on confessional statement of Shio Kumar in police custody, which does not have any evidentiary value. It is also submitted that the petitioner is not the owner of the seized vehicle.



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 trial court where the case is pending/successor court in connection with Bihta P.S. Case No.1038/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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