

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22860 of 2024

Arising Out of PS. Case No.-138 Year-2021 Thana- Excise P.S. District- Madhepura

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Ajay Kumar @ Bambholi S/O- Late Surendra Yadav R/O- Village- Ward No.-
10 Dawarika Tola, P.S.- Madhepura, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar , Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Ms.Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-04-2024 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 has antecedent of five cases and allegation is of
recovery of 119.40 litres of liquor from the possession of Vikash
Kumar.
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 has no
connection or relation with Vikash Kumar. It is next submitted
that he came to be implicated based on confessional statement



of Vikash Kumar in police custody which does not have any evidentiary value. It is also submitted that it appears that the police, in order to save the real culprit, falsely implicated the petitioner through Vikash Kumar taking advantage of his antecedents.

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. 25,000/- (Rupees Twenty Five Thousand) 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 Madhepur Excise P.S. Case No. 138 of 2021-22 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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