

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 24728 of 2024

Arising Out of PS. Case No.-808 Year-2023 Thana- MANER District- Patna

Arjun Ray SON OF DINANATH RAY RESIDENT OF VILLAGE-SHERPUR, BRAHMHARI, PS- MANER, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Smita Kumari, Advocate

For the Opposite Party/s : Mr Aditya Narayan Singh 1, APP

CORAM: HONOURABLE MR JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and the learned APP 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 one antecedent and allegation is of recovery of 61 liters of country made liquor from a motorcycle and 20 liters from the possession of co-accused Nirala Kumar. It is next submitted that the petitioner was not arrested from the spot and, as such nothing was recovered from his conscious possession and he is not the owner of the seized motorcycle and does not have any connection or relation with co-accused Nirala Kumar. It is also submitted that the petitioner came to be implicated based on confessional statement of co-accused Nirala Kumar in



police custody which does not have any evidentiary value.

4 Learned APP 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 trial Court within a period of six weeks from today, be released on anticipatory bail on his furnishing 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 Maner PS Case No 808 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr P C.

6 It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has more than one antecedent, in that event, the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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