

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4778 of 2024

Arising Out of PS. Case No.-15 Year-2023 Thana- BEUR District- Patna

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DELIP RAI @ BHOOK BHAK SON OF SURENDRA RAY RESIDENT OF
BISHUNPUR, P.S. - BEUR, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 13-02-2024

1. Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offenses punishable under Section
30(a) of the Bihar Prohibition and Excise Amendment Act.

3. The learned counsel appearing for the petitioner
submits that the petitioner is a person with clean antecedent and
the allegation is of recovery of 200 liters of Mahua liquor from a
bag kept in a lane.

4. The learned counsel for the petitioner next submits
that the petitioner was not present at the place of occurrence, as
such, nothing was recovered from the conscious possession of
the petitioner and he came to be implicated based on the
confessional statement of co-accused, Sanjay Gope @ Sanjay



Kumar, who was apprehended from the spot. It is next submitted that the confessional statement in police custody does not have any evidentiary value.

5. The learned A.P.P. opposes the anticipatory bail application 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 court below within a period of six weeks, is directed to be released on bail on furnishing bail bonds of Rs. 5,000/- (Five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna in connection with Special Case No. 150 of 2023 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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