

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7654 of 2024

Arising Out of PS. Case No.-260 Year-2023 Thana- ADAPUR District- East Champaran

Rambabu Chaudhary S/o- Jamuna Chaudhary R/o- Shyampur, P.S.- Adapur,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2024 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 Sections 30(a), 32
and 41(i) of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 175.2 litres of liquor
from a paddy field and 60 litres of liquor from a motorcycle.

5. Learned counsel for the petitioner submits 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 the confessional statement of co-accused,
namely, Munesh Manjhi in police custody which does not have
any evidentiary value in the eye of law. It is further submitted



that petitioner is neither the owner of the paddy field nor the seized motorcycle.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 court below where the case is pending/successor court in connection with Adapur P.S. Case No. 260 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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