

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5499 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- SARAI RANJAN District- Samastipur

Rahul Kumar Son of Dilip Kumar Ray R/O village Jhakhara p.s. Sarairanjan
distt. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sarairanjan P.S. Case No.271/2023 registered for the
offence punishable under Sections 30(a), 41(1) (2) of Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case. An allegation is of
recovery of 1417.5 litres of liquor from two trucks and a Bolero
car. It is next submitted that petitioner was not arrested from the
spot as such nothing was recovered from his conscious
possession. It is also submitted that petitioner is not the owner
of any of the seized vehicles and he came to be implicated based
on confessional statement of Mithilesh Kumar in police custody,



which does not have any evidentiary value in the eye of law.

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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Judge Excise-2, Samastipur in connection with Sarairanjan P.S. Case No.271/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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