

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6752 of 2022**

Arising Out of PS. Case No.-516 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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SURENDRA DAS SON OF YUGESHWAR DAS R/O - MOTIPUR, WARD
-13, SAMASTIPUR (BIHAR)- 848130

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 08-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Allegation is of recovery of 240 litres of liquor from a pick-up van and one Mahesh Kumar was arrested from the spot and he confessed that it was the petitioner who brings liquor and sold the same in the market.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and he has been falsely implicated in the present case. Confessional statement of co-accused before the police has no evidentiary value. He further submits that based on antecedent of the petitioner, police falsely



implicated through Mahesh Kumar when the petitioner was not arrested from the spot, hence, nothing was recovered from his conscious possession.

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

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.3,000/- (Rupees Three Thousand) 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 Samastipur (Mufassil) P.S. Case No. 516 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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