

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12566 of 2022

Arising Out of PS. Case No.-60 Year-2020 Thana- BAUNSI District- Banka

SURAJ PRAKASH SON OF SHALIGRAM PRASAD Resident of M.O./23,
Lenu Road Bandh Colony, near Durga Mandir, Police Station- Gomiya
(Kathara O.P.), District- Bokaro (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 15-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 1782.36 litres of liquor from a Tata pickup vehicle.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, the alleged vehicle does not belong to the petitioner, it is further submitted that one Deepak Kumar was arrested who disclosed three



mobile numbers to the police and out those three mobile numbers, one of the mobile number belong to the petitioner based on which petitioner came to be implicated. Learned counsel next submits that during the course of investigation nothing has come to even remotely connect the petitioner with the offence nor there is any material which could even remotely suggest that the petitioner even once had talked with Deepak. Learned counsel submits that it appears that the police in order to save the real culprits falsely implicated the petitioner based on a mobile number which is alleged to have been given by Deepak without investigating as to whether petitioner had any connection with Deepak or not.

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. 5,000/- (Rupees Five 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 Bounsi P.S. Case



No. 60 of 2020 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

