

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21292 of 2022

Arising Out of PS. Case No.-126 Year-2022 Thana- AGAMKUAN District- Patna

VISHNU KUMAR SHARMA S/o Shambhu Dayal Sharma Resident of Block
No. 7/1/18, Road No. 4, Durga Puja Maidan, P.O.- Tatanagar, P.S.- Bagbera,
Bagbera Colony, District- Purbi Singhbhum (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a),
30(c), 32, 33, 34, 36 and 41(i) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

Allegation is of recovery of 30 litre of spirit from a
truck which was kept in Parsuram Roadways Transport
Godown.

Learned counsel for the petitioner submits that



petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. He further submits that the godown does not belong to the petitioner nor the vehicle from which the alleged spirit was recovered and his name came in the confessional statement of Chhotak Yadav who is the owner of the Parsuram Roadways Transport which has no evidentiary value.

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.1,000/- (Rupees One 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 Agamkuan P.S. Case No. 126 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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