

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25288 of 2022**

Arising Out of PS. Case No.-104 Year-2022 Thana- MADANPUR District- Aurangabad

SHAKTI KUMAR Son of Lalu Mahto Resident of Village - Shivganj, P.S.-  
Madanpur, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Indu Kumari Srivastava, A.P.P.

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

2      02-11-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

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

Learned counsel for the petitioner submits that petitioner has antecedent of four cases and allegation is of recovery of 1222.5 liters of liquor kept in a carton from a tractor.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that he came to be implicated based on confessional statement of Rahul Kumar and Santosh Kumar. It is also



submitted that petitioner is neither the owner nor the driver of the alleged tractor and was implicated at the behest of the police because of this antecedent through Rahul and Santosh.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madanpur P.S. Case No. 104 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

HarshPandey/-

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