

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26025 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- SAMASTIPUR District- Samastipur

ANAND KUMAR @ DABLU Son of Ramchandra Singh @ Ramchandra
Ray Resident of Village - Jatmalpur Tira, P.s.- Kalyanpur, Distt.- Samastipur,
Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, 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 272 and 273 of the Indian
Penal Code and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of 3 cases and allegation is of recovery of
2628.360 liters of liquor from a container 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, it is next submitted that
petitioner is neither the driver nor the owner of the alleged vehicle.
Learned counsel next submits that one Ramesh Rai is the owner of
the container, it is also submitted that petitioner name transpired in



the confessional statement of Pankaj Kumar in police custody which does not have any evidentiary value. Learned counsel further submits that petitioner was carrying antecedent, as such, police through Pankaj got him implicated.

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 Samastipur P.S. Case No. 21 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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