

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30533 of 2022

Arising Out of PS. Case No.-414 Year-2021 Thana- WARISLIGANJ District- Nawada

GAUTAM KUMAR @ BITTU KUMAR @ BITTU SINGH SON OF RAM
PRAVESH SHARMA @ RAM PRAVESH SINGH RESIDENT OF
VILLAGE AND POST- BARUANE , P.S- BHADAUR , DIST- PATNA
803307

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Prakash, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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) and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 1920.345 litres of liquor from PACCS Bhawan.

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 further submitted that the alleged PACCS Bhawan comes under the control of Government of Bihar as stated in Para-6, it is further



submitted that the informant has not made any authority of the Government of Bihar an accused in the present case when admittedly the alleged PACCS Bhawan is under the control of the Government, it is also submitted that the name of the petitioner transpired in the confessional statement of Arvind Kumar in police custody which does not have any 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Warshaliganj P.S. Case No. 414 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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