

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33862 of 2022

Arising Out of PS. Case No.-116 Year-2016 Thana- DULHIN BAZAR District- Patna

Banti Kumar @ Shyam Kishore Kumar, Son Of Chandresh Sharma Residence
Of Near Hanuman Mandir, Fatehpur, Paliganj, P.S.- Paliganj, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 414/
34 of the I.P.C. and Section 47 of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 1.350 litre of liquor from a bag and one black
colour stolen motorcycle.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that even the bag and the motorcycle do not belong to the
petitioner and the petitioner came to be implicated based on the



confessional statement of co-accused Bittu Kumar in police custody, which does not have any evidentiary value.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case No.2714 of 2017 arising out of Dulhin Bazar P. S. Case No.116 of 2016, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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