

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37108 of 2022

Arising Out of PS. Case No.-382 Year-2019 Thana- SARAIYA District- Muzaffarpur

Rakesh Kumar @ Chunnu Thakur Son Of Late Kailash Thakur Resident Of
Muhalla- Gannipur, P.S.- Sadar, District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh
		Ms. Divya Bharti
For the Opposite Party/s	:	Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 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 Sections 272, 273, 414, 420 and 120B of the I.P.C. and Sections 30(a), 32(ii), 38(ii) and 41(i) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the petitioner has antecedent of seven cases and the allegation is of recovery of 5313.960 litre of liquor from a truck parked near Manikpur Chowk.

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 petitioner is neither the owner, nor the driver of the alleged truck and



his name transpired in the confessional statement of Pravin Kumar Pandey in police custody which has no evidentiary value. The learned counsel next submits that police deliberately through Pravin Kumar Pandey implicated the petitioner because of his antecedent in order to save the real culprit.

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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Saraiya P. S. Case No.382 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

