

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50299 of 2021**

Arising Out of PS. Case No.-68 Year-2021 Thana- GOPALPUR District- Gopalganj

SONU BAITHA @ SONU KUMAR BAITHA S/o- BHUSHAN BAITHA
Resident of Village- Bankikhal, P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

4 15-06-2022 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 under Sections 414 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 02.04.2021, at 10:00 hrs. while on patrolling duty he got information that huge quantity of liquor is to come through village Sangwadih, accordingly the informant along with police force reached near the place of occurrence where they intercepted two WagonR car and one Scorpio vehicle and



altogether six persons started fleeing on seeing the police but one accused was caught who disclosed his name as Suraj Kumar and during search of WagonR car 360 litres of liquor was recovered and from Scorpio 765 litres of liquor was recovered. It is next alleged that the apprehended accused disclosed the name of the petitioner as driver of the WagonR car.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot, his name transpired in the confessional statement of apprehended accused which has no evidentiary value and the petitioner is a person with clean antecedent, it is further submitted that nothing was recovered from the conscious possession of the petitioner.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gopalpur P.S. Case



No. 68 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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