

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52459 of 2022

Arising Out of PS. Case No.-165 Year-2019 Thana- KATRA District- Muzaffarpur

PRINCE KUMAR S/O SUNIL KUMAR @ SUNIL KUWAR VILLAGE
BUDHNAGARA PS NANPUR DISTRICT SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273
of the Indian Penal Code and Section 30(a) and 38(i) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 1655.12 litres of liquor
from the hut of Md. Kasim, 1805.280 litres of liquor from a
truck and 495 litres of liquor from a Bolero Pickup Van.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession. Learned counsel submits that the alleged recovery is from a place which does not belong to the petitioner and petitioner is neither the owner nor the driver of the truck nor the Bolero Pickup Van and he came to be implicated by the Chawkidar, who, in order to save the real culprit, has falsely implicated the petitioner, who is a person with clean antecedent.

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.1,000/- (Rupees One Thousand) 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 Katra P.S. Case No. 165 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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