

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53900 of 2022

Arising Out of PS. Case No.-269 Year-2022 Thana- SULTANGANJ District- Patna

1. Vishnu Kumar @ Mama, S/O Gulab Sah Resident Of Shivpur, Tikiya Toli, P.S.- Sultanganj, District- Patna
2. Suraj Kumar, S/O Gulab Sah Resident Of Shivpur, Tikiya Toli, P.S.- Sultanganj, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2022 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
30(a) and 37(b) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of three cases and the allegation is of
recovery of 2.200 litres of liquor from a bag kept in an auto
which was standing in a lane. Further, 12 litres of liquor from a
bag left near a garage.

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 they came to be implicated based on confessional statement of Anil Kumar Singh and Sanjiv Kumar, who themselves were in drunken state and that too in police custody which admittedly 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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sultanganj P. S. Case No.269 of 2022, 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	
---	--	---	--

