

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54508 of 2022

Arising Out of PS. Case No.-153 Year-2020 Thana- INDUSTRIAL AREA District- Vaishali

SANTOSH KUMAR SON OF UMESH RAI Resident of Village- Singhiya @
AF Satpur Singhiya @ Litiyahi, P.S.- Raghapur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 420, 467
and 468 of the Indian Penal Code and Sections 30(a), 36 and
41(1) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

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

Allegation is of recovery of 4741.44 litres of liquor
from a truck parked in an industrial area.

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



recovered from his conscious possession. He further submits that petitioner is neither the driver nor the owner of the alleged vehicle and he came to be implicated based on the confessional statement of Kamal Soni @ Kamal in police custody which does not have any evidentiary value in the eye of law. He next submits, at the cost of repetition, that petitioner 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 Industrial Area P.S. Case No. 153 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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