

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54547 of 2022

Arising Out of PS. Case No.-449 Year-2022 Thana- SHEKHPURA District- Sheikhpura

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AMIT KUMAR @ GOLU S/O UDAY PRASAD R/O VILLAGE -
GOVINDPUR TUNDI ROAD NEAR RAS MANDIR, POLICE STATION-
GOVINDPUR, DISTRICT- DHANBAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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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.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a), 32
and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 8.640 liters liquor from a Pulsar motorcycle and
167.685 litres liquor from an auto.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is further
submitted that petitioner is neither the owner nor the driver of



any of the alleged vehicles and he came to be implicated based on confessional statement of co-accused Alok Pandit, Shankar Prasad, Taslim Ansari and Aslam Ansari in police custody which does not have any evidentiary value when admittedly the 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 Sheikhpura P.S. Case No. 449 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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