

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58863 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- CHAKAND District- Gaya

KUNAL KUMAR S/o Late Ramswarath Singh Resident of Village- Vaina
P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2022 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 467, 468, 471, 120B of the Indian Penal Code and Section 30(a), 36, 41(1) 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 1863 liters of liquor from a Scorpio vehicle and from the premises of one Flour Mill.

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 also submitted merely because a cheque book of Ujjivan Small Finance Bank was



recovered from the place of occurrence and the cheque book was issued in favour of the petitioner as such he came to be implicated. Learned counsel further submits that police in mechanical manner has implicated the petitioner who is a person with clean antecedent when neither the Scorpio nor the Flour Mill belongs to him.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chakand P.S. Case No. 181 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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