

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54728 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- MITHANPURA District- Muzaffarpur

RAKESH KUMAR @ CHUNNU THAKUR Son of Late Kailash Thakur
Resident of Mohalla - Gannipur, P.S.- Kazi Mohammadpur, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-11-2022 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 414 and 34 of the Indian Penal Code read with Sections 30(a), 32(ii) and 41(i) of the Bihar Excise Act and Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of eight cases, it is next submitted that a supplementary affidavit has been filed bringing on record the criminal antecedents of the petitioner and from perusal of the same, it would manifest that though petitioner has been implicated in cases relating to Arms Act but then in five of the



FIRs, he is not named and he came to be implicated based on confessional statement and further in three cases of the Excise Act also, in one case he is not named in the FIR as such it is submitted that out of eight cases, the petitioner initially was not named in six of the cases.

Learned counsel for the petitioner submits that from perusal of the allegations as alleged in the FIR it would manifest that several named accused persons were apprehended from whose possession liquor, arms and cartridges were recovered, it is further submitted that petitioner's name transpired in the confessional statement of apprehended accused alleging that the petitioner was indulged in business of liquor. Learned counsel submits that petitioner in the present case also came to be implicated based on confessional statement as he was earlier implicated.

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. 25,000/-



(Rupees Twenty Five 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 Mithanpura P.S. Case No. 11 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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