

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70537 of 2021

Arising Out of PS. Case No.-287 Year-2021 Thana- PHULWARIYA District- Gopalganj

KRISHNA SINGH Son of Indrasan Bhagat Resident of Village- Sahpur
Pakariyar (Wrongly stated as Village- Hata Tola Pakariyar), P.S.- Gopalpur,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Yadav, Advocate

For the Opposite Party/s : Mr.Madan Kumar, PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of three cases and allegation is of recovery of 477 litres of liquor from a Bolero vehicle as detailed in the F.I.R. from which Dinesh Kumar, the driver was arrested.

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 next



submitted that petitioner is not the owner of the Bolero vehicle and his name transpired in the confessional statement of the accused Dinesh Kumar who in order to save his owner falsely implicated the petitioner who is known to the owner of the vehicle.

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. 5,000/- (Rupees 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 Phulwariya P.S. Case No. 287 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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