

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65016 of 2022

Arising Out of PS. Case No.-531 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

NITISH KUMAR @ BUCHI S/O CHANDRAMA SINGH R/v- Khudai bagh,
Bangra, P.S.- Garkha, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

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 323, 325,
353/34 of the Indian Penal Code and Sections 30(a) and 45 of
the Bihar Prohibition and Excise Act, 2016.

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

Allegation is of recovery of 63 litres of liquor from a
motorcycle.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted



that petitioner came to be implicated based on confessional statement of Satyendra Mehta in police custody which does not have any evidentiary value in the eye of law and petitioner is neither the owner nor the driver of the motorcycle.

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 Chapra Mufassil P.S. Case No. 531 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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