

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69095 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- KANTI District- Muzaffarpur

PANKAJ KUMAR S/O Rajeshwar Sah R/O Village- Rasulpur Fatahi Jirwara
Kurwa, P.S- Mahua, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 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(i)(ii), 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 2700 liters of liquor from a truck.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of Rakesh Kumar Rai in police custody which does not have any evidentiary value, it is also submitted that petitioner is neither



the owner nor the driver of the alleged 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Kanti P.S. Case No. 98 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has any criminal antecedent then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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