

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71761 of 2022

Arising Out of PS. Case No.-134 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

Kanhiya Singh @ Kanhaiya Kumar @ Shankar Kumar Son Of Brijnandan
Singh R/O Village- Apsarh, P.S.- Warisaliganj, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Md. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2022 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 30(a),
32(ii) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 1157.760 litres liquor from a Bolero vehicle.

Learned counsel for the petitioner submits that
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 Gope
in police custody which does not have any evidentiary value, it



is further 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty 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 Sheikhopur Sarai P.S. Case No. 134 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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