

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21385 of 2023

Arising Out of PS. Case No.-597 Year-2022 Thana- DAUDNAGAR District- Aurangabad

Vikash Kumar @ Deepak Son Of Dilip Kumar Singh Resident Of Village-
Ward 02, Rahimpur, Ps- Ganga Bridge, Distt- Vaishali , Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 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 420 and 34 of the Indian Penal Code read with Sections 30(a), 32, 36 and 41 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 1270.08 liters of liquor from a mini 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 Dinesh



Rai in police custody which does not have any evidentiary value, learned counsel next submits that petitioner is not the owner of the mini truck.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that an oral submission has been made that petitioner is not the owner of the truck though it has not been pleaded in the anticipatory bail application.

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 Daud Nagar P.S. Case No. 597 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned trial court before accepting the bail bonds of the petitioner shall verify whether the said mini truck belongs to the petitioner or not and in the event, if it is found that the mini truck is registered in the name of the



petitioner then the present order granting anticipatory bail to
the petitioner shall not be given effect to.

(Satyavrat Verma, J)

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