

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27923 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- VAISHALI District- Vaishali

SANTOSH KUMAR S/O DWARIKA YADAV Resident of Village- Gourpur
(Godhapur), (Dudahi Pokhra), P.S.- Majhi, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 Section 414 of the Indian Penal Code read with Sections 30(a), 32(2) and 41(c) 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 406.080 litres liquor from a Bolero vehicle and a motorcycle was also seized from the place of occurrence.

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 came to be implicated based on the confessional statement of co-accused in



police custody which does not have any evidentiary value,
further the petitioner is not the owner of the seized 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. 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 Vaishali (Belsar
O.P.) P.S. Case No. 44 of 2023 subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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