

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28869 of 2023

Arising Out of PS. Case No.-143 Year-2018 Thana- SHIVSAGAR District- Rohtas

PREM PATEL @ CHHOTU S/O RAMESH SINGH R/O Village- Parari,P.S-
Shivsagar, Distt- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner has antecedent of one case.

Allegation is of recovery of 6.75 litres of liquor from a place near the house of the petitioner.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value in the eye of law and even the alleged recovery is from a place which



does not belong to the petitioner and because of his antecedent he got implicated.

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.5,000/- (Rupees Five 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 Shivsagar P.S. Case No. 143 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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