

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27459 of 2023**

Arising Out of PS. Case No.-24 Year-2023 Thana- INARWA District- West Champaran

VINAY KUMAR S/O SRI RAJENDRA YADAV Resident of Village-  
Bairiya, P.S.- Sahodara, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

**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 Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

Allegation is of recovery of 61.280 litres of liquor from a place near a brick kiln of Ramdeo Bhagat and Arun Kumar was arrested who disclosed the name 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. It is further submitted that even the alleged recovery is from a place which is



accessible to public at large and petitioner came to be implicated based on the confessional statement in police custody of co-accused which has no evidentiary value in the eye of law when admittedly petitioner is a person with clean antecedent.

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 Inarwa P.S. Case No. 24 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

