

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31502 of 2023

Arising Out of PS. Case No.-222 Year-2023 Thana- KANTI District- Muzaffarpur

ANKUR @ ANKUR KUMAR Son of Vijay Kumar @ Vijay Kumar Gupta
Resident of village - Nandpuri Bhagwanpur, P.S.- Sadar Muzaffarpur, District
- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 30(a), 32(i)(ii), 36 and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 828 liters of liquor from a Bolero vehicle.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner is not the owner of the vehicle and came to be implicated based on secret information which is the



easiest way to implicate someone, it is further submitted that even there is a delay of 48 hours in sending the FIR to the learned Trial Court which creates doubt with regard to the veracity of the allegation as alleged in the FIR.

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 trial court 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kanti P.S. Case No. 222 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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