

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28536 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- GAUTAMBUDHNAGAR District- Siwan

PAPPU TIWARI S/o- ASHOK TIWARI Village- Matuk Chhapra Ps- Sarai OP
Dist- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. Raj Ballabh Singh

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, Mr. Chandra Bhushan Prasad.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 414 of the Indian Penal Code and Section 30(a), 34, 36 and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of three cases and allegation is of recovery of 821.52 liters of liquor from a pickup van parked in front of the shop of one Kedar Prasad.

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 the petitioner is not the owner of the pickup van and he came to be implicated by independent witnesses but then



the name of the independent witnesses are not recorded in the FIR which creates doubt with regard to the veracity of the allegations as alleged in the FIR, it is next submitted that the petitioner, because of his antecedents, came to be implicated falsely by the police.

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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with G. B. Nagar P.S. Case No. 89 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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