

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31103 of 2023

Arising Out of PS. Case No.-249 Year-2022 Thana- SARSI District- Purnia

=====

D.C.M @ SUMIT YADAV @ SUMIT KUMAR SON OF LATE ARUN
YADAV RESIDENT OF VILLAGE-BUDHIYA DHANKATTA, PO-
BUDHIYA DHANKATTA, PS-SARSI, DIST-PURNIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Jha, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 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) and
41 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 79.56 litres of liquor from
a car.

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
Raja Kumar and Amit Kumar in police custody which does not



have evidentiary value in the eye of law. It is further submitted that petitioner is not the owner of the seized vehicle and he came to be implicated because of his 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.10,000/- (Rupees Ten 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 Sarsi P.S. Case No. 249 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

