

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32397 of 2023**

Arising Out of PS. Case No.-147 Year-2022 Thana- KARJA District-
Muzaffarpur

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GIRISH KUMAR S/O SUKDEV RAI @ SUGDEV RAI R/O Village-
Matihani, P.S- Paroo, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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 Section 414 of the Indian Penal Code and under Sections 25(1-b)a, 26 and 35 of the Arms Act and under Section 30(a) 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 a pistol along with 2 cartridges and 2.160 liters of liquor from a car and two accused persons were arrested, further 1.125 liters of liquor was recovered in the house of



one Vipin Kumar.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that he came to be implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value, it is next submitted that even the alleged recovery is liquor is from house of Vipin Kumar and petitioner is not the owner of the car.

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 Karja P.S. Case No. 147 of 2022 subject to the



conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailors of the petitioner shall be his
father namely Sukdev Rai @ Sugdev Rai.

(Satyavrat Verma, J)

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