

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31193 of 2023

Arising Out of PS. Case No.-109 Year-2023 Thana- DUMRA District- Sitamarhi

RATNESH KUMAR @ RATTNESH PASWAN @ RATNESH PASWAN
S/o- BACHCHU PASWAN Village- Kanta Chowk @ Bhupbhairo ward no-
10,Ps-Sitamarhi, Dist-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of four cases.

Allegation is of recovery of 11.025 litres of liquor from the hut of Anish Kumar, 6 litres of liquor from Scooty of Shiv Kumar, 30 litres of liquor from an Apache motorcycle, 22.08 litres of liquor from a Passion Pro motorcycle and 5.025 litres of liquor.

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 petitioner came to be implicated based on the confessional statement of Anish Kumar in police custody which does not have any evidentiary value in the eye of law. It is next submitted that the police because of antecedent falsely implicated the petitioner through Anish Kumar, when admittedly petitioner is not the owner of any of the seized vehicle.

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.25,000/- (Rupees Twenty-five 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 Dumra P.S. Case No. 109 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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

