

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31221 of 2023

Arising Out of PS. Case No.-253 Year-2022 Thana- BIHRA District- Saharsa

=====

MUKESH KUMAR SAH @ MUKESH SAH s/o Suresh Prasad Sah @
Suresh Sah Resident of Village Triveniganj Bazar, P.S.- Triveniganj, District-
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar Roy, 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(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

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

Allegation is of recovery of 1874.880 litres of liquor from a truck.

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 in



police custody which does not have any evidentiary value in the eye of law. It is further submitted that the petitioner is not the owner of the truck. It is next submitted that the police because of his antecedent falsely got him implicated in the confessional statement of co-accused.

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 Bihra P.S. Case No. 253 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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

