

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37198 of 2023

Arising Out of PS. Case No.-19 Year-2018 Thana- MANJHI District- Saran

TAPESH KUMAR TIWARI @ GUDDU TIWARI S/O LATE LALAN
TIWARI R/O Village- Harpur Kothi, P.S- Janta Bazar, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Rita Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 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 420, 467, 468, 471, 120B of the Indian Penal Code and Section 30, 30(a), 38 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of ten cases and allegation is of recovery of 1278 liters of liquor from a truck from Baliya Crossing.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of Mohit in



police custody which does not have any evidentiary value, it is next submitted that in most of the cases the petitioner has been implicated based on confessional statement or on suspicion, it is next submitted that the petitioner is not the owner of the truck.

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. 50,000/- (Rupees Fifty 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 Manjhi P.S. Case No. 19 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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