

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37371 of 2023

Arising Out of PS. Case No.-267 Year-2019 Thana- EKMA District- Saran

BIRENDRA MISHRA S/O VIKRMA MISHRA R/O Village- Rith PS. Ekma,
Dist. Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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 467, 468 and 120(B) of the IPC and Sections 30 and 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with three antecedent and allegation is of recovery of 2610 liters of liquor from a truck found near a bridge.

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 confessional statement of Surendra in



police custody which does not have any evidentiary value, it is next submitted that police got the petitioner implicated because of his antecedent through Surendra when admittedly petitioner is not the owner of the 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees fifteen Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Ekma P.S. Case No. 267 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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