

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37974 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- MOKAMAH District- Patna

HIMANSHU KUMAR @ MIKKI Son of Sujit Kumar @ Sujit Singh
Resident of Village - Shakarwar Tola Ward No.- 15, P.S.- Mokama, District -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-06-2023 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 Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with 5 antecedent and allegation is of
recovery of 7.500 liters of liquor from the roof of the house of
Golu Kumar.

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 Aman Kumar in



police custody, which does not have any evidentiary value. It is next submitted even alleged recovery is from a place which does not belong to the petitioner and he came to be implicated because of his antecedent.

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. 25,000/- (Rupees Twenty Five 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 Mokama P.S. Case No. 112 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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