

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39046 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- DURAULI District- Siwan

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1. ARVIND KUMAR SON OF HARIBANSH BHAGAT VILLAGE NETWAR, PS- DARAULI, DISTRICT- SIWAN
 2. ADITYA KUMAR YADAV @ ADITYA KUMAR SON OF SAMBHU YADAV VILLAGE NETWAR, PS- DARAULI, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-06-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 2.

Permission is accorded.

The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 379, 411, 413 and 414 of the Indian Penal Code and Sections 30(a) and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner no. 1 is a person with clean antecedent and allegation is of recovery of 98 liters of liquor from a room situated near the courtyard of Dheeraj Kumar and altogether five motorcycles were also seized.



Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that he came to be implicated based on confessional statement of Naushad Ansari in police custody which does not have any evidentiary value, further petitioner is not the owner of any of the seized vehicles.

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 no. 1, 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. 1,000/- (Rupees One Thousand) each 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 Darauli P.S. Case No. 331 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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