

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39086 of 2023

Arising Out of PS. Case No.-201 Year-2023 Thana- BEGUSARAI MUFFASIL District- Begusarai

SHIVAM KUMAR son of Chunchun Singh Village- Ratanpur Ward No-21,
Ps- Town Ratanpur Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Muffassil (Singhoul O.P.) PS Case No. 201 / 2023 dated 07-04-2023 registered under Section 30(a), 32(1)(2) and 41(1)(2) of the Bihar Prohibition and Excise Act, 2018.

3. As per the F.I.R., Police on the basis of secret information intercepted a Hyundai Megna Car bearing Registration No. BR09U-9529 and seized a total quantity of 171 liters of Indian make foreign liquor from the same.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the Police due to oblique motive. The name of the petitioner has transpired in this case on the basis of confessional statement of the



co-accused / Aman Kumar. He further submits that petitioner is neither the owner nor the driver of the Hundai Megna Car from which illicit liquor has been seized. He next submits that the illicit liquor in question has not been recovered from the vehicle belonging to the petitioner and / or from his conscious possession. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from conscious possession of the petitioner and / or his vehicle and the petitioner has got clean antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise-I, Begusarai in connection with Muffassil (Singhoul O.P.) PS Case No. 201 / 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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