

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51283 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- KHODAWANDPUR District- Begusarai

SHIV KUMAR GOSWAMI @ SHIBIYA GOSWAMI SON OF RAM
NANDAN GOSWAMI RESIDENT OF VILLAGE -CHAKWA, PS
-KHODAWANDPUR, DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in connection with Khodawandpur P.S. Case No. 50 of 2023 registered for the offences punishable under Sections 307, 323, 353, 332, 333 and 34 of the Indian Penal Code read with Sections 30 (a) and 41 (i) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 288 liters of liquor from a Bolero vehicle from Bathnaha Chowk.
4. 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 Jitesh Kumar Yadav in police custody which does not have any evidentiary value, it is further submitted that petitioner is not the owner of the seized vehicle.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Khodawandpur P.S. Case No. 50 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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