

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53666 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- MANIGACHI District- Darbhanga

PARITOSH KUMAR MISHRA @ PARITOSH JHA SON OF LILANAND
MISHRA R/O-RAJE (GOTH), P.S.-MANIGACHHI, DISTT.-DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) 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 3844.440 liters of liquor from a truck, Scorpio and a motorcycle found in an orchard.
4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on confessional statement of Abhishek Kumar Mishra in police custody which does not have any evidentiary



value. It is also submitted that petitioner is not the owner of any of the seized vehicles.

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 trial court where the case is pending/successor court in connection with Manigachhi P.S. Case No. 30 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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