

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58036 of 2023

Arising Out of PS. Case No.-367 Year-2022 Thana- MUFFASIL District- Aurangabad

Anand Kishore Son Of Late Devkishun Resident Of Village- Manjhar, Ps-
Pakari Dayal, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner apprehends his arrest in
connection with Muffasil P.S.Case No. 367 of 2022
instituted under Section 30(a) of Bihar Prohibition & Excise
Act.

3. As per the prosecution case, total 1194.48 liters
foreign liquor was recovered from the truck and co- accused
Rakesh Kumar disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. Petitioner
is neither driver nor owner of the said vehicle. Nothing has



been recovered from conscious possession of the petitioner and his name has transpired on the basis of disclosure made by the co-accused. Similarly situated co-accused Umesh Kumar & others have been granted anticipatory bail by a co-ordinate bench of this Court vide order dated 10.02.2023 in Cr. Misc. No. 1247 of 2023.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Aurangabad in connection with Muffasil P.S.Case No. 367 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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