

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63163 of 2023

Arising Out of PS. Case No.-261 Year-2023 Thana- ROSERA District- Samastipur

Bibhishan Kumar @ Vibhishan Kumar Son Of Raghuvir Mahto R/O Vill
Jagdishpur P.S. Khanpur, District – Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Rosera P.S. Case No. 261 of 2023 registered for the offences punishable under Sections 272, 273, 420, 467, 468, 471 and 120-B of the Indian Penal Code and Sections 30 (a), 30 (b), 32, 36, 41(i) and 62 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, on secret information that a huge quantity of liquor was being landed in Jandaha Jakhar, by co-accused Dhiraj Chaudhary, upon search the police recovered a total of 2285.00 litres of foreign liquor from three vehicles. The police also seized two motorcycles.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner was neither apprehended from the spot nor any incriminating article has been recovered from his possession. Petitioner has no concern with the seized liquor which was recovered. It is further submitted that petitioner is the owner of one of the seized motorcycles but nothing has been recovered from his motorcycle. Petitioner has no criminal antecedent. Similarly, situated co-accused person has been granted anticipatory bail by this Court vide order dated 30.08.2023 passed in Cr. Misc. 56897 of 2023.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Rosera P.S. Case No. 261 of 2023, subject to the conditions as



laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Sunil Dutta Mishra, J)

shweta/-

U		T	
---	--	---	--

