

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69921 of 2023

Arising Out of PS. Case No.-359 Year-2020 Thana- BYPASS District- Patna

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RAVI KUMAR @ PUTUL KUMAR S/O DARA KEWAT R/O
KARMALICHAK, PURBI BAGICHHA, P.S- BYPASS, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 2 01-11-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner is apprehending his arrest in connection with By-Pass P.S. Case No. 359 of 2020 registered for the offences punishable under Sections 149, 147, 341, 342, 353, 504, 506 and 34 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2018.
3. As per prosecution case, there is alleged recovery of 4.400 litre mahua liquor from the bag of co-accused Rahul Kumar and he disclosed the name of petitioner and other who fled away from the place of occurrence.
4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that petitioner was not present at the place of occurrence and nothing has been recovered from his possession. Petitioner has no concern with the alleged recovery. He further submits that the name of present petitioner transpires upon the confessional statement of co-accused Rahul Kumar. Except confessional statement of co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the aforesaid sections.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise,



Patna City in connection with By-Pass P.S. Case No. 359 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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