

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4975 of 2023

Arising Out of PS. Case No.-428 Year-2022 Thana- GORAUL District- Vaishali

ROHIT KUMAR Son of Late Chandeshwar Ram R/V- Chandpura Khurd,
P.S- Goraul, Dist - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of two cases.

Allegation is of recovery of 189 litres of liquor from the house of Rahul Kumar and Sunil Kumar was arrested.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and the alleged recovery is from a place which does not belong to the petitioner and he came to be implicated based on the confessional statement of Sunil Kumar in police custody which does not have



any evidentiary value in the eye of law.

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

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 Court below within a period of six weeks from today, be released on anticipatory 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 learned court below where the case is pending/successor court in connection with Goraul P.S. Case No. 428 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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