

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5242 of 2024

Arising Out of PS. Case No.-148 Year-2023 Thana- SAMASTIPUR District- Samastipur

Abhishek Kumar @ Abhishek Kumar Raj @ Abhishek Raj S/O Late Deen
Dayal Sah Village- Kashipur, Ps. Town, Dist. Samastipur, At Present R/O
Village- Soneversa Chawk, Ps. Samastipur Muffasil, Dist. Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Section
30(A) of Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is of recovery of
2.550 liters of liquor.

4. Learned counsel for the petitioner submits that
petitioners are person with clean antecedent and allegation is of
recovery of 2.550 liters of liquor from two different places as
detailed in the FIR. It is next submitted that none of the place
belongs to the petitioners nor petitioners was arrested from the
spot, as such nothing was recovered from his conscious
possession and he came to be implicated based on confessional



statement of Vijay Kumar in police custody which does not have any evidentiary value.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Town P.S. Case No.148 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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