

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3985 of 2024

Arising Out of PS. Case No.-270 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

Sultan Singh Olka Son of Shri Mahaveer Prasad R/o vill - Bamanvas @
Sajanpura, P.s. - Khandela, Distt. - Sikar (Rajasthan)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Gupta

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-02-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 5781.60 liters of liquor from the ten wheeler Tata truck.
4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated as some calls from his registered mobile number had gone on the mobile number of the driver of the said truck. It is next submitted that it has been specifically pleaded at Para-15 of the anticipatory bail application that the said number though



registered in the name of the petitioner was being used by one Shrawan Kumar and the said fact was already communicated to the Investigating Officer of the case vide Representation Dated 17.06.2023. It is next submitted that police in mechanical manner investigates and implicates.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Durgawati P.S. Case No. 270 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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