

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6954 of 2024

Arising Out of PS. Case No.-682 Year-2023 Thana- SAHARSA SADAR District- Saharsa

MITTU KUMAR @ MITHU KUMAR @ DEVRAJ S/O ANIL SAH R/O
BHARTIYE NAGAR, WARD NO. 26 KAHRA, P.S- SAHARSA, DISTT.-
SAHARSA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Saharsa P.S. Case No.682/2023 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 37 litres of codin cough syrup from from the
possession of Chandan Kumar and Sanjay Kumar and 19.3 litres
of cough syrup from the house of Dev Narayan Yadav. It is
next submitted that the petitioner was not arrested from the spot
as such nothing was recovered from his conscious possession. It



is further submitted that the petitioner has no concern either with Chandan, Sanjay or Dev Narayan Yadav. It is next submitted that he came to be implicated based on confessional statement of co-accused in police custody, which does not have any evidentiary value in the eye of law.

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

5. 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.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special Judge, Excise, Saharsa in connection with Saharsa P.S. Case No.682/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

amit/-

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

