

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5569 of 2024

Arising Out of PS. Case No.-289 Year-2022 Thana- AAJAM NAGAR District- Katihar

Kishan Tuddu son of Bhaiya Tuddu Resident of Village - Nagar PO - Siktia
PS - Azamnagar Dist. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 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 Section 411 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

4. Allegation is of recovery of 64 litres of liquor from
two motorcycles.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further asserted
and submitted that petitioner is not the owner of any of the
motorcycle and came to be implicated based on the confessional



statement of Sunil Mandal in police custody which does not have any evidentiary value in the eye of law.

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

7. 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.5,000/- (Rupees Five 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 Azamnagar P.S. Case No. 289 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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