

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12040 of 2024

Arising Out of PS. Case No.-220 Year-2023 Thana- TARARI District- Bhojpur

Abhishek Kumar @ Bablish Sah Son of Rajesh Sah @ Rajendra Sah R/o vill -
Vaksanda, P.S. - Tarari, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Priya, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Tarari P.S. Case No.220 of 2023, registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and allegation is of recovery of
60 liters of country made liquor alleged to be thrown by a
scooty.

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 is not the owner of
the seized scooty and he came to be implicated in the case based



on confessional statement of co-accused in police custody which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent.

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. 500/- (Rupees Five Hundred) 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 Tarari P.S. Case No. 220 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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