

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7852 of 2024

Arising Out of PS. Case No.-240 Year-2023 Thana- BALIYA District- Begusarai

Jitendra Kumar @ Nanhe Son of Nand Kishore Singh R/o vill - Baghi, Tajpur,
P.S. - Karpurigram, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mrs. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ballia P.S. Case No.240/2023, registered for the offence punishable under Sections 290, 120B IPC & Section 30(a), 32, 41(i)(ii) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that petitioner has antecedent of 9 cases and allegation is of recovery of 2432.520 litres of liquor from a pick up van. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not owner of the seized vehicle and he came to be implicated based on confessional statement of Gautam Mishra in police custody,



does not have any evidentiary value. It is also submitted that the police in order to save the real culprits falsely implicated the petitioner through Gautam because of his antecedents.

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.45000/- (Rupees forty five thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.II, Begusarai in connection with Ballia P.S. Case No.240/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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