

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7553 of 2024

Arising Out of PS. Case No.-260 Year-2022 Thana- KHODAWANDPUR District- Begusarai

Anand Kumar Singh S/O Ravindra Kumar Singh VILLAGE- RAJGAWA,
PS.- MADHAURA, DIST. SARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Khodawandpur P.S. Case No.260/2022 G.R No.1564/2022 dated 05.09.2022, registered for the offence punishable under Sections 420, 467, 468, 471, 120(B) of the IPC & Sections 30(a), 32(i)(ii), 36, 41(1) of Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 7612 litres of foreign liquor from a truck and other vehicles as detailed in the F.I.R. It is next submitted that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be



implicated based on confessional statement of co-accused namely Shambhu Kumar @ Mannu in police custody, which does not have any evidentiary value in the eye of law. It is next submitted that the petitioner is neither the owner nor the driver of the vehicle rather came to be implicated based on his antecedent by the police through Shambhu Kumar in order to save the real culprits.

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 Exclusive Special Judge Excise-1, Begusarai in connection with Khodawandpur P.S. Case No.260/2022, G.R No.1564/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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