

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12245 of 2024

Arising Out of PS. Case No.-597 Year-2023 Thana- TAJPUR District- Samastipur

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Bambam Singh @ Abhishek Kumar SON OF RAJENDRA SINGH @
SURENDRA SINGH RESIDENT OF VILLAGE- HARPUR BHINDI, PS-
MUSRIGHARARI, DISTT- SAMSTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-03-2024 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 Sections 30(a), 41(1) and 41(2) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 3726 liters of liquor from an Indian Oil Tanker.
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 neither the owner nor the driver of the seized tanker and he came to be implicated at the instance of *Chowkidar* with whom he is on an



inimical term. It is further submitted that in majority of the cases, the accused are being implicated at the instance of the *Chowkidar*. It is further submitted that it appears that the *Chowkidar* in order to save the real culprits, falsely implicated the petitioner because of his 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. 5,000/- (Rupees Five Thousand) 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 Tajpur P.S. Case No. 597 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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