

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12733 of 2024

Arising Out of PS. Case No.-905 Year-2023 Thana- FATUA District- Patna

Vinay Singh @ Vinay Kumar @ Vivek Kumar Son of Bambahadur Singh
Resident of Village- Gauri Pundah, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kahkashan Alam, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2024 Heard the learned counsel for the petitioner and the
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) and 37(2) of the Bihar Prohibition & Excise Amendment Act, 2022.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 50 litres of liquor from a place near Gauripunda village.

4. Learned counsel for the petitioner further submits that the petitioner was not arrested from the spot, as such nothing was recovered from his conscious possession and even alleged recovery is from a place which is accessible to public at large and does not belong to the petitioner and he came to be

implicated based on confessional statement of co-accused under police custody which does not have any evidentiary value, when petitioner admittedly 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 Fatuha P.S. Case No. 905 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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