

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14160 of 2024

Arising Out of PS. Case No.-498 Year-2023 Thana- BAHADURPUR District- Darbhanga

Gulab Mandal @ Gulab Kumar Mandal S/O Late Tapeswar Mandal R/O
Village- Munsii Chowk, Nimaithi, Ps.-Baheri, Dist.-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Jha, Adv.

For the State : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2024 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 Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 151.17 liters of liquor from the road.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place, which does not belongs to the petitioner, it is next submitted that he came to be implicated based on confessional statement of co-accused in police custody,



which has got no evidentiary value in the eyes of law, when the 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bahadurpur P.S. Case No. 498 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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