

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14120 of 2024

Arising Out of PS. Case No.-211 Year-2023 Thana- ISUAPUR District- Saran

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Amit Kumar @ Amit Rai Son Of Ramnath Ray Resident Of Village- Asoiya
(Asaiya), Ps- Marhowrah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.

For the State : Mr. Nityanand, APP

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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 Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 38, 41 of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of seven cases and allegation is of recovery of 450 liters of *spirit* from a *Tractor*.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner is neither the owner nor the driver of the alleged vehicle and he came to be implicated based on secret



information, which is the easiest way to implicate someone, it is also submitted that it appears that the police in order to save the real culprits falsely implicated the petitioner taking advantage of his antecedents.

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. 35,000/- (Rupees Thirty Five Thousand) 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 Isuapur P.S. Case No. 211 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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