

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13212 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- PHULWARIYA District- Gopalganj

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Anand Kumar Gupta @ Anand Kumar SON OF BRIJ KISHORE SAH @
BRIJ KISHORE PRASAD R/O VILLAGE- BRAHMA CHOWK, WARD
NO.17, P.S.- GOPALGANJ, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rishi Sinha Sinha, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2024 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 59.04 litres of liquor
from two motorcycles and three Scooties as detailed in the FIR.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner of
any of the seized vehicles and he came to be implicated based
on confessional statement of apprehended accused in police



custody which does not have any evidentiary value in the eye of law, when petitioner admittedly is a person with clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Fulwariya P.S. Case No. 11 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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