

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12688 of 2024**

Arising Out of PS. Case No.-173 Year-2023 Thana- BALIGAON District- Vaishali

Mukesh Kumar S/O Parmanand Ray R/O Vill- Khoajpur Basti, P.S- Baligaon,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Mr. Gulnar Begum, 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 272, 273 and 34 of the I.P.C. read with Sections 30(a), 32(ii) and 41(i) of the Bihar Prohibition & Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of five cases and an allegation is of recovery of 1102.68 litres of liquor from a pick-up van.

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 he is not the owner of the seized vehicle and he came to be implicated based on confessional statement of Sanoj Kumar in police custody which does not have any evidentiary value.

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. 25,000/- (Rupees Twenty 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 Baligaon P.S. Case No. 173 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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