

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13856 of 2024

Arising Out of PS. Case No.-1076 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Arjun Kumar S/o Mahesh Ray R/o Village Fatehpur PS Ahiyapur District
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-04-2024 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 offences punishable under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code and Sections 30(a)(b), 32(ii)(iii), 36 and 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases.

4. Allegation is of recovery of 3086.40 litres of liquor from a truck and a motorcycle.

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 or the driver of the seized truck and the motorcycle does not



belong to the petitioner and he came to be implicated based on the confessional statement of co-accused Vikash Kumar and Vikram Kumar in police custody which does not have any evidentiary value in the eye of law.

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.10,000/- (Rupees Ten Thousand) 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 Ahiyapur P.S. Case No. 1076 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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