

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15131 of 2024

Arising Out of PS. Case No.-180 Year-2019 Thana- KUNDWACHAINPUR District- East
Champaran

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DHUPI KUMAR @ DHUPENDRA KUMAR S/O RAMA KANT SINGH
R/O VILLAGE- JHAUARAM, P.S- DHAKA, DISTT.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-03-2024 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 Sections 272, 273 and 414 of the I.P.C. & Sections 30(a) and 41(1) of 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 306 litres of liquor from three motorcycles as detailed in the F.I.R. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he is not owner of any of the seized vehicles and he came to be implicated based on confessional



statement of Prabhu Singh in police custody, which does not have any evidentiary value, when petitioner admittedly is a person with clean antecedent.

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

5. 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 trial court where the case is pending/successor court in connection with Kundwachainpur P.S. Case No.180/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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