

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17833 of 2024

Arising Out of PS. Case No.-393 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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PANKAJ KUMAR @ LUKSI Son of Jagdish Rai Resident of Village-
Jitwarpur Nizamat, Ward No. 10, P.S.-Muffasil, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 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 offences punishable under Sections 30(a), 32,
36, 41(i) and 41(ii) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of three cases and allegation is of
recovery of 1110.60 litres of liquor from a pick-up van.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is neither the
owner nor the driver of the seized vehicle and he came to be
implicated at the instance of *Chowkidar*. It is next submitted that



police in 90 percent of the cases are implicating accused persons at the instance of *chowkidar* or local people. It is also submitted that if the *chowkidar* was aware that the petitioner was involved in the occurrence they why he did not inform the police earlier.

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. 15,000/- (Rupees Fifteen 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 Samastipur Muffasil P.S. Case No. 393 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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