

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17934 of 2024

Arising Out of PS. Case No.-555 Year-2022 Thana- KOILWAR District- Bhojpur

SHUBHAM KUMAR Son of Samir Kumar Resident of Village-Bishunpur
Basant Urf Subhai, P.S.-Sadar Hajipur, District-Vaishali (Hajipur)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar Srivastava, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of 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 Section 30(a), 32, 36 and 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 3969 liters of liquor from a vehicle.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the vehicle and he came to be implicated based on his mobile number. It is next submitted that the driver of the vehicle was arrested who disclosed that the said



mobile number was used by one Rajesh, as such the police investigated the said disclosure and found that the mobile number was in name of his petitioner. It is further submitted that petitioner is the student of intermediate and he has lost his mobile and has no connection with Rajesh.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, II, Excise, Bhojpur, Ara in connection with Koilwar (Giddha O.P.) P.S. Case No.555 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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