

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52232 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- ANGARGHAT District- Samastipur

Biru Kumar @ Veeru Kumar @ Dhanvir Roy Son of Ram Bilas Ray Resident
of Village - Supaul, Ward Number - 2, P.S.- Angharghat, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Angharghat P.S.
Case No. 111 of 2023, registered under Sections 272, 273 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 261 liters
liquor was recovered from semi constructed house of co-
accused Ram Vilash Ray.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no knowledge and concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired on the basis of confessional statement of co-accused Ravi Shankar Kumar and the same has no evidentiary value. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 30.01.2024 passed in Cr. Misc. No. 86401 of 2024. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/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 Court below/concerned Court in connection with Angharghat P.S. Case



No. 111 of 2023, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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