

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64443 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- BARAULI District- Gopalganj

Abhishek Kumar Singh S/o- Late Anil Kumar Singh @ Late Anil Singh
resident of Village- Rampur Kala PS-Phulwariya Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurabh Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2024 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 Section 30(a) of the
Bihar Excise Act, Section 414 of the Indian Penal Code and
Sections 25(1-B)a, 26 of the Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 60.12 litres of liquor from a Scorpio vehicle.

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 not the owner of
the seized vehicle. It is next submitted that he came to be
implicated based on confessional statement of Bullet Kumar in



police custody which does not have any evidentiary value.

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. 5,000/- (Rupees Five 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 Barauli P.S. Case No. 161 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of more than one case, in that event, the present anticipatory bail order shall not be given effect to.

8. Today 40 cases relating to excise were taken up. In 40 cases there were 52 petitioners out of which 32 petitioners were persons with clean antecedent, further in 17 cases the



recovery is less than 30 liters of liquor, further in few cases the recovery was in between 01 liter to 10 liters as such the total amount of liquor alleged to have been seized is 5765.44 liters of liquor along with 120 litres of Chhoa.

(Satyavrat Verma, J)

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