

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68595 of 2024

Arising Out of PS. Case No.-280 Year-2023 Thana- KISHANPUR District- Supaul

Shivam Kumar @ Shivendra Kumar Son of Lal Bahadur Sah Resident of
Village- Kariho, P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in S.T.
Excise Case No. 1593 of 2023, arising out of Kishanpur P.S.
case No. 280 of 2023 registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that 450
liters liquor was recovered from Scorpio vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no criminal antecedent. 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. It is further submitted that the name of the petitioner has transpired on the basis of confessional statement of co-accused Bablu Kumar. The vehicle in question does not belong to the petitioner. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with S.T. Excise Case No. 1593 of 2023, arising out of Kishanpur P.S. case No. 280 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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