

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73514 of 2023

Arising Out of PS. Case No.-166 Year-2023 Thana- BASOPATTI District- Madhubani

MD. KALIM MANSUR @ MD. KALIM RAIN S/O MD. ABDUL
MANSUR @ MD. ABDUL RAIN @ ABDUL MANSUR R/O village-
Mahinathpur Jankinagar, P.S.- Basopatti, District- Mdhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-02-2024 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 272, 273
and 34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. Allegation is of recovery of 630 litres of liquor
from a Scorpio vehicle.

4. Learned counsel for the petitioner submits that
petitioner has antecedent of one case. It is further submitted that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated based on the confessional statement of Shiv Mandal
and Vikash Kumar Jha in police custody which does not have



any evidentiary value in the eye of law. It is next submitted that petitioner is not the owner of the seized vehicle.

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 Court below 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 court below where the case is pending/successor court in connection with Basopatti P.S. Case No. 166 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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