

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81630 of 2023

Arising Out of PS. Case No.-227 Year-2023 Thana- SARAI District- Vaishali

DEEPAK KUMAR @ SUMANT KUMAR S/O AJAY SINGH R/O
VILLAGE- SARAI, P.S- SARAI, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi
For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 21-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sarai P.S. Case No.227/2023 registered for the offence punishable under Sections 420, 467, 468, 471, 120(B) of the I.P.C. & Sections 30(a), 32(i)(ii), 36, 41(i)(ii) of Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 821.160 litres of liquor from a truck. It is next submitted that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession. It is next submitted that petitioner is not the owner of the vehicle and came to be implicated in the confessional statement of co-



accused namely Bishwajeet Kumar in police custody, which does not have any evidentiary value in the eye of law.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court-II-cum-Additional District and Sessions Judge, Hajipur, Vaishali in connection with Sarai P.S. Case No.227/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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