

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4517 of 2024

Arising Out of PS. Case No.-21 Year-2023 Thana- BIHTA District- Patna

Vikash Kumar Roy @ Vikash Kumar Rai @ Vikash Rai Son of Vijay kumar
Rai R/o Village-Sudamdih,P.S.-Dhanbad,District-Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr .Saurav Anand

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bihta P.S. Case No.21/2023 registered for the offence
punishable under Sections 420, 467, 468, 471, 120(B) of the
I.P.C. & Sections 30(a), 32(i)(ii) and 41 of the Bihar Prohibition
and Excise Amendment Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 2660 litres of liquor
from a truck. It is next submitted that petitioner is neither the
driver nor the owner of the truck in question and he came to be
implicated based on confessional statement of Lalu Kumar, who
was apprehended being the truck driver. It is next submitted that



confessional statement in police custody does not have any evidentiary value in the eye of law. It is also submitted that petitioner was not apprehended from the spot as such nothing was recovered from his possession.

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.500/- (Rupees Five hundred) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Danapur, in connection with Bihta P.S. Case No.21/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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