

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5481 of 2024

Arising Out of PS. Case No.-863 Year-2022 Thana- KANTI District- Muzaffarpur

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Sunil Kumar SON OF Nand Lal Sah RESIDENT OF VILLAGE-
DAMDARPUR, PS- KANTI DISTT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kanti P.S. Case No.863/2022 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent. An allegation is of
recovery of 122.220 litres of liquor from the house of Raman
Kumar. It is next submitted that Raman Kumar is own brother
of the petitioner but then the house from where the liquor is
alleged to have been recovered is a joint family property as such
it cannot be alleged with certainty that it was petitioner who had
kept the liquor in the house or the liquor kept in the house was



within his knowledge. It is also submitted that merely because the petitioner resides in the same house he has been implicated being brother of Raman Kumar, who is already in custody. It is also submitted that his name also transpired in the confessional statement of Nand Lal Sah and Mina Devi 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 Special Judge Excise Court No.II, Muzaffarpur in connection with Kanti P.S. Case No.863/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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