

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21807 of 2022**

Arising Out of PS. Case No.-250 Year-2020 Thana- NAUGACHIA District- Bhagalpur

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LAL BAHADUR SHAH @ LAL BAHADUR SAH Son of Ramchandra Shah
R/O Village - Ijot, P.S.- Basopatti, District - Madhubani, Present address -
R/O Fatasil, Ambari, P.S.- Amabari, District - Guahati (Assam)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 28-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471 and 34 of the Indian Penal Code and Sections 30(a) and 38(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 7477.920 liters of liquor from the cartoons from a truck.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next



submitted that petitioner came to be implicated as he is the owner of the truck, it is further submitted that no prudent businessman would use a vehicle registered in his name for carrying out such illegal activity. Learned counsel further submits that petitioner had already sold the truck to Sajal Das on 08.01.2018 as would be evident from Annexure-2 to the anticipatory bail application. Learned counsel next submits that since the transfer of the vehicle was made on stamp paper as such Sajal Das was aware that in the event, if the vehicle is misused for any illegal activity then the onus would lie on the petitioner and as such it appears that he committed the occurrence and the petitioner got implicated.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naugachhia P.S.



Case No. 250 of 2020 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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