

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23961 of 2022

Arising Out of PS. Case No.-1069 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

ARUN KUMAR Son of Ramalal Resident of Village - 53 PWD Road, UV Colony, Near Dunlop Bridge, P.S.- Alam Bazar, District - Kolkata.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 467, 468, 471, 420 and
120(B) of the Indian Penal Code and Sections 30(a), 32(ii), 36 and
41(i) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

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

Allegation is of recovery of 8000 litres of spirit from the
truck.

Learned counsel for the petitioner submits that petitioner
was not arrested from the spot, as such, nothing was recovered from
his conscious possession. It is further submitted that petitioner came
to be implicated on the ground that he is owner of the truck. It is next



submitted that no prudent man would use his own vehicle registered in his name for committing an illegal act thus creating evidence against himself. It is also submitted that petitioner was completely unaware that the driver of the vehicle would misuse the same for such illegal purpose. It is further submitted at the cost of repetition that the petitioner is a person with clean antecedent and is a businessman.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.2,000/- (Rupees Two 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 Vaishali Town P.S. Case No. 1069 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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