

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33197 of 2022

Arising Out of PS. Case No.-249 Year-2021 Thana- BANKA District- Banka

RAVI KUMAR Son of Lakhan Lal Choudhary Resident of Village - Tarini Prasad Road, Mandroza Chowk, Jagdishpur, P.s.- Jagdishpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-11-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 32(ii) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 80.25 litres liquor from a car.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and being owner of the alleged vehicle, he came to be implicated, learned counsel next submits that no prudent man would use his own vehicle for



committing a crime and thus creating evidence against himself, it his also submitted that petitioner was completely unaware that the driver of the vehicle would misuse the same in the manner alleged.

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. 1,000/- (Rupees One 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 Banka (Barahat) P.S. Case No. 249 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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