

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36951 of 2022

Arising Out of PS. Case No.-53 Year-2020 Thana- SIMRI District- Darbhanga

SARVJEET KUMAR @ SARVAJIT KUMAR SON OF SANGRAM SINGH
Resident of Village- Lashkaripur, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 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 30(a) and 41(i) of the
Bihar Prohibition and Excise Act, 2016.

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

Allegation is of recovery of 100.500 litres of liquor from a
Sumo vehicle.

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 by Annexure-2
to the anticipatory bail application, the petitioner had already sold his
vehicle in favour of Shyam Kumar Singh. It is next submitted that



though it is not the mode of transferring the vehicle but if the vehicle would have been with the petitioner then definitely the petitioner would never have used the vehicle for committing such an illegal act and thus creating evidence against himself. It is, thus, submitted that since the petitioner had sold his vehicle to Shyam Kumar Singh, as such, he was sanguine that if any offence is committed he will not be roped in as an accused without realizing that it is not the mode of transfer of vehicle.

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 Simri P.S. Case No. 53 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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