

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38028 of 2022

Arising Out of PS. Case No.-46 Year-2020 Thana- NATHNAGAR District- Bhagalpur

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SUBIL KUMAR S/o Chandradev Mandal Resident of Village- Sahabad, P.S.-
Akbaragar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-11-2022 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 30(a) and 41(i) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of recovery
of 11.100 liters of liquor from auto-rickshaw.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing was
recovered from his conscious possession, he further submitted that
petitioner is neither the driver nor the owner of the auto-rickshaw
rather one Bishundev Mandal falsely implicated him by producing
a non-judicial stamp paper showing that the said auto-rickshaw

was purchased by the petitioner when the same is not the mode of transfer of auto-rickshaw.

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. 20,000/- (Rupees Twenty 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 Nathnagar P.S. Case No. 46 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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