

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39713 of 2022

Arising Out of PS. Case No.-60 Year-2021 Thana- BHAGWANGANJ District- Patna

Anis Kumar, Son Of Binod Prasad @ Binod Kumar Gupta R/O Gangacak,
Malikana, P.S.- Masaurhi, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 188 and 269 of the I.P.C., Section 6 of the Epidemic Disease Amendment Act, 2020, Sections 51 and 52 of the Disaster Management Act and Sections 30(a), 37(b)(c) and 56 of the Excise Act.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 12 litres of liquor from a Scorpio vehicle and 10 litres of liquor from another vehicle and both the vehicles were parked near the fish pond of Ashok Singh.

The learned counsel for the petitioner submits that the petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that the



alleged Scorpio vehicle of which the petitioner is the owner and is a commercial vehicle and as such, the vehicle was booked by a customer. It is next submitted that during search made by the police, the driver of the vehicle was arrested. It is thus submitted that petitioner was completely unaware that his commercial vehicle would be misused by the driver of the vehicle without his knowledge.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bhagwanganj P. S. Case No.60 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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