

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44604 of 2022

Arising Out of PS. Case No.-93 Year-2021 Thana- OBRA District- Aurangabad

SANTOSH KUMAR SINGH S/o Late Saryu Singh R/o village- Amarpur,
P.S.- Kutumba, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlendra Pd. Singh, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2022 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 Section 30(a) 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 560 litres spirit from a Scorpio vehicle.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that the petitioner had given his vehicle to a friend and thus was not aware that the same would be misused for such an illegal purpose, further it is submitted that even the vehicle of



the petitioner is now seized and he came to be implicated merely because he had antecedent of two cases.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that vehicle belongs to the petitioner.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present anticipatory bail application.

Permission is accorded.

In the event, if the petitioner surrenders on or before 15.09.2022, the learned trial court shall dispose of the bail application on the same day keeping in mind the fact that the petitioner was not arrested from the spot, nothing was recovered from his conscious possession and he came to be implicated merely because he is owner of the vehicle.

(Satyavrat Verma, J)

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