

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47837 of 2022

Arising Out of PS. Case No.-135 Year-2017 Thana- MINAPUR District- Muzaffarpur

BIPIN ROY @ BIPIN KUMAR S/o Late Dinesh Roy R/o Village- Punarwara
Chak Shambhu, P.S.- Mahindwara, District- Sitamarhi, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2022 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 272, 273 and 224 of the Indian Penal Code and 30(a), 38, 41 and 48 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 4410 litres of liquor from a truck and a car and 750 ml liquor bottle from the car.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner is neither the owner nor the driver of



the alleged vehicle and he came to be implicated by the police on the allegation that the petitioner after disclosing his name fled, it is also submitted that it is just not possible for a person to flee when he is apprehended by the police and that too after disclosing his name, as such prima-facie it appears to be a case of false implication, more so when petitioner is a person with clean antecedent.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Minapur P.S. Case No. 135 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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