

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50024 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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MANKESHWAR KUMAR @ MUKESHWAR KUMAR Son of Mishri Ray
Resident of Village - Bangfamuza Ward No.- 12, P.S.- Deoria, District -
Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Since the case has been restored by order dated
29.09.2022 in Cr. Misc. No. 52788 of 2022 as such the present
anticipatory bail application is being taken up on its merit.

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 is a person with clean antecedent and allegation is of
recovery of 164.160 liters liquor from a car from N.H. 27.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing



was recovered from his conscious possession and he came to be implicated in the present case because he is owner of the car, it is next submitted that petitioner was completely unaware that the driver of the vehicle would misuse the vehicle for such an illegal purpose, it is also submitted that no prudent man knowing that the vehicle is registered in his name would commit such an occurrence.

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 Excise Case No. 84 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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