

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50326 of 2022

Arising Out of PS. Case No.-334 Year-2019 Thana- SARAIYA District- Muzaffarpur

AJAY SAH @ AJAY KUMAR Son of Ram Ayodhya Sah @ Yodha Sah R/V-
Basantpur Patti, Malang Chowk, P.S- Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-09-2022 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 272, 273, 414 and 34 of the Indian Penal Code and Section 30(a), 32(ii) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 6186.600 litre of liquor from a truck, pick-up van and magic 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 also submitted that petitioner is neither the owner nor the driver of any of the vehicle as detailed in the FIR and he came to be



implicated at the instance of local people, chawkidar and spy. The learned counsel for the petitioner submits that it absolutely does not stand to reason that how come the local people, chawkidar and spy in one voice took the name of the petitioner which amply demonstrates that effort was made to save the real culprits and petitioner came to be implicated based on his antecedent under the Excise Act.

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. 10,000/- (Rupees Ten Thousand) 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 Saraiya P.S. Case No. 334 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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