

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53020 of 2022

Arising Out of PS. Case No.-211 Year-2019 Thana- DURAULI District- Siwan

ANUP SINGH @ ANUP KUMAR SINGH Son of Brijnath Singh @ Baijnath
Singh Resident of Village - Dewariya, P.S.- Lar, Distt.- Deoria (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 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, 420 and 120(B) of the Indian Penal Code read with Sections 30(a), 38(i) and 41(i) 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 94.140 litres liquor from a Maruti Car and 7180.740 litres liquor from a dry drainage, east of Sunil Rai's wheat field.

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 as he is owner of the car, it is further submitted that



petitioner was completely unaware that driver of the vehicle would misuse the car for such an illegal purpose as no prudent man would indulge in any illegal activity by his own car thus creating evidence against himself, it is also submitted that as far as recovery of 7180.740 litres liquor is alleged, that is also from a place which does not belong to the petitioner.

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. 2,000/- (Rupees Two 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 Darauli P.S. Case No. 211 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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