

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53633 of 2022

Arising Out of PS. Case No.-112 Year-2021 Thana- CHANDI District- Bhojpur

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MOHAN KUMAR S/o Late Surat Yadav R/o village- Vindaul Taregana (Lal Bihta), P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2022 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 is a person with clean antecedent and allegation is of recovery of 70 litres liquor from a jerkin loaded on a Splendor motorcycle and 75 litres liquor from the sacks found under the bridge of Chamira Road.

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 the petitioner was completely unaware that his friend would misuse his



vehicle for such an illegal purpose, it is next submitted that the petitioner being owner of the vehicle came to be implicated in a mechanical manner, it is also submitted that no prudent man would use his own vehicle and thus create evidence against himself.

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 Chandi P.S. Case No. 112 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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