

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57082 of 2022

Arising Out of PS. Case No.-164 Year-2022 Thana- PANDAUL District- Madhubani

ASHOK KUMAR SINGH S/O UTIM LAL SINGH R/O VILLAGE-
KASMA MARAR, P.S.- KHAJALI, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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 the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 54 litres of liquor from a
bag kept on a motorcycle and from its dickey.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted



that petitioner came to be implicated as he is owner of the alleged motorcycle. It is next submitted that no prudent man would use his own vehicle for carrying an illegal activity and thus create evidence against himself. It is also submitted that petitioner was completely unaware that the driver of the vehicle to whom he had given the motorcycle would misuse the same for carrying such illegal activity.

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 Pandaul P.S. Case No. 164 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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