

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62026 of 2022**

Arising Out of PS. Case No.-47 Year-2022 Thana- KUTUMBA District- Aurangabad

SAURABH KUMAR Son of Luv Kush Kumar R/V- Rankupa, P.S- Kutumba,
Dist- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 23-11-2022 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 72 liters of liquor from a motorcycle and 7.2 liters of liquor from the cowshed of Jitendra Kumar Singh.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession. Learned counsel next submits that the petitioner has been falsely implicated in the present case, it is next submitted that he came to be



implicated merely because he is the owner of the alleged motorcycle, it is next submitted that no prudent man would use his own vehicle for committing an illegality and thus would create evidence against himself, it is next submitted that he was completely unaware that his friends would misuse the vehicle for such illegal purpose.

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. 1,000/- (Rupees One Thousand) each 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 Kutumba P.S. Case No. 47 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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