

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59103 of 2022

Arising Out of PS. Case No.-371 Year-2019 Thana- SHEKHPURA District- Sheikhpura

RAHUL KUMAR SAW S/o Krishnandan Saw @ Krishn Nandan Saw R/o
Village/Mohalla- Near Hanuman Mandir, Katras More, Jharia, P.S.- Jharia,
District- Dhanbad, State- Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2022 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 630 liters of liquor from three four-wheelers and one motorcycle which were parked at Arun Line Hotel.

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 two years after the institution of the FIR based on the



fact that petitioner was owner of one of the vehicle, it is next submitted that petitioner had already sold the vehicle to one Kailash through an agreement on 7.08.2019 and as such was completely unaware that the vehicle was misused in the manner alleged.

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 Sheikhpura P.S. Case No. 371 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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