

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57925 of 2022

Arising Out of PS. Case No.-276 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

Subash Chaudhary, Son Of Late Rambrichh Chaudhary Resident Of Village-
Basopati, Police Station- Siwan Muffasil, District- Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272
and 273 of the I.P.C. and Section 30(A) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 36.400 litres of liquor from a motorcycle.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that he came to be implicated merely on the ground that the
alleged motorcycle belongs to him. It is next submitted that
petitioner was completely unaware that his neighbour would



misuse the vehicle for such illegal purpose. It is also submitted that no prudent man would use his own vehicle for committing an occurrence and thus, create evidence against himself.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Siwan Muffasil (Dhanauti O.P.) P. S. Case No.276 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

