

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57303 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- PIPRA District- Patna

VIJAY RAI S/o- Mahadev Rai R/o Village- Darveshpur, P.S.- Maner, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-12-2022 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

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

Allegation is of recovery of 300 litres of liquor from an auto.

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 merely because he is



owner of the auto. It is next submitted that petitioner was completely unaware that the passenger would have kept the liquor in the bag, which they were carrying, who fled away. It is also submitted that the auto was driven by his driver and petitioner is the owner and no owner would misuse his own vehicle for committing a crime and thus would 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 Pipra P.S. Case No. 65 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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