

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58175 of 2022

Arising Out of PS. Case No.-80 Year-2022 Thana- BALIGAON District- Vaishali

=====

KRISHNADEV KUMAR @ KRISHANDEV KUMAR Son of Devendra
Singh Resident of Village- Motipur, P.S.- Tajpur, District- Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

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 Section 414 of the Indian Penal
Code and Sections 30(a), 36 and 41(i) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

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

Allegation is of recovery of 2027.52 litres of liquor from a
container, 234 litres of liquor from a Pajero Car and 27 litres of
liquor from a motorcycle.

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 Pajero Car. It is next submitted that the car is a costly car and is registered in the name of the petitioner and no prudent man would use his own vehicle for committing a crime and thus creating evidence against himself. It is also submitted that the petitioner was completely unaware that the driver of the car 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 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 Baligaon P.S. Case No. 80 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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

