

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57919 of 2022**

Arising Out of PS. Case No.-100 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

Bidiya Kumar Purbey @ Bidiyo Kumar Purbey, S/O Rudal Purbey Resident  
Of Village- Nahas, Roupauli, Police Station- Bisfi, District- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Jha  
For the Opposite Party/s : Mr. Gauri Shankar Gupta

**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 Section 30(a)  
of the Excise Act, 2018.

The learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and the allegation is  
of recovery of 250.38 litres of liquor from a Hyundai car.

The 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 also submitted  
that the petitioner came to be implicated as he is owner of the  
alleged vehicle. It is next submitted that no prudent man would  
use his own vehicle for committing a crime and thus, create



evidence against himself. It is next submitted that the petitioner was completely unaware that the driver of the vehicle would misuse the vehicle for such illegal purpose.

Learned A.P.P. opposes the 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, 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 the learned Court below where the case is pending in connection with Mohammadpur P. S. Case No.100 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

**(Satyavrat Verma, J)**

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