

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58561 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- RAJAON District- Banka

BARUN KUMAR JHA S/o Shambhu Nath Jha R/V- Rahua, P.S.- Bihra,
Distt- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Ms. Sucheta Yadav, 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 420 of the
Indian Penal Code and Section 30(a) and 32(2) of the Bihar
Prohibition and Excise Act, 2016.

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

Allegation is of recovery of 3072.6 litres of liquor
from a truck.

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 is a businessman and he came to be implicated as he is owner of the truck. It is next submitted that no prudent businessman would use his own vehicle registered in his name creating evidence against himself. It is also submitted that petitioner was completely unaware that the driver of the vehicle would misuse the vehicle for such illegal activity.

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 Rajoun P.S. Case No. 37 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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