

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66440 of 2022**

Arising Out of PS. Case No.-182 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Siwan

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MUKESH KUMAR S/O LATE RAJMANGAL Resident of village- Kuwahi,  
P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Bardhan Pandey, Advocate  
For the Opposite Party/s : Ms. Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      06-12-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 30(c) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 40 litres liquor from Kamaldeo Prasad, 2500 kg jawa from a furnace from north of Bali Singh's house which was destroyed at the spot, 35 litres liquor from the possession of Kanhaiya Choudhary and 1200 kg jawa was destroyed at the place of occurrence.

Learned counsel for the petitioner submits that



petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated as he is owner of the motorcycle, it is next submitted that petitioner was completely unaware that his friend would misuse his vehicle in the manner alleged as no person would use his own vehicle for committing an occurrence and thus 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 Siwan Excise P.S. Case No. 182 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/Shubham/-

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