

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59932 of 2022

Arising Out of PS. Case No.-571 Year-2022 Thana- BIHTA District- Patna

SANJAY KUMAR Son of Sahdeo Prasad Resident of New Puranderpur,
Bapu Path, P.S.- Jakkanpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-12-2022 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), 32(i)(ii) and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 393 liters of liquor from a Tata Sumo car, thereafter, Swift Dzire car was apprehended from which no liquor was recovered.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner being owner of Swift Dzire came to be implicated when admittedly he was not present at the place of



occurrence nor any recovery was made from the said car.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bihta P.S. Case No. 571 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has any criminal antecedent then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

GauravSinha/-

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

