

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59108 of 2022**

Arising Out of PS. Case No.-449 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

MD. KHURSHID ALAM Son of Md. Mosaddaque Alam @ Mosaddak  
Resident of Kotwali Chowk Naka No. 5, P.s- Laheriasarai (Kotwali O.P)  
Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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

2      10-11-2022                      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 Section 30(a) 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 151.200 liters of liquor from an E-Rikshaw and 1.98  
liters of liquor from Yamaha motorcycle.

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 came to be implicated as he is the



owner of the E-Rikshaw, 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 also submitted that petitioner was completely unaware that the driver of the vehicle 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 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 Laheriasarai P.S. Case No. 449 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

HarshPandey/-

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