

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70947 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- DAGARUA District- Purnia

PARIMAL SARKAR Son of Late Paresh Sarkar Resident of Thakur Nagar,
Sahudangi Hat, P.S.- New Jalpaiguri, District - Jalpaiguri (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2022 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 420, 272 and 273 of the Indian Penal Code and 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 722.085 litre of liquor from a pick-up van.

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 the said pick-up van is a commercial vehicle and petitioner was completely unaware that the driver had misused



the vehicle for such illegal purpose, it is next submitted that petitioner came to be implicated merely because he is owner of the vehicle, it is also submitted that merely being owner in no manner connects the petitioner with the offence when he was arrested where the alleged search and seizure was made.

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. 10,000/- (Rupees Ten 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 Dagarua P.S. Case No. 35 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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