

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62377 of 2022

Arising Out of PS. Case No.-285 Year-2021 Thana- MANIYARI District- Muzaffarpur

NIWAS KUMAR @ NIWAS KUMAR SAHNI SON OF RAM BILASH
SAHNI @ RAMVILASH SAHNI R/O VILLAGE- RATNAULI, P.S.-
MANIYARI, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

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
petitioner is a person with clean antecedent and allegation is of
recovery of 180 liters liquor from a Bolero vehicle parked in
front of the hut of Lalita Devi and 934.800 litres liquor from the
hut of Lalita Devi.

Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and being owner



of the alleged vehicle, he came to be implicated falsely in the present case, it is also submitted that no prudent man would use his own vehicle for committing a crime and thus creating evidence against himself, further the petitioner was completely unaware that the driver of the vehicle would misuse the vehicle in the manner alleged.

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 Maniyari P.S. Case No. 285 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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