

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66770 of 2022

Arising Out of PS. Case No.-37 Year-2021 Thana- MALI District- Aurangabad

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PARBESH SINGH S/O LATE MOTI SINGH Resident of village- Kushi,
P.S.- Muffasil District- Aurangabad (Bihar). (The authorised representative
and signatory of the company Murlidhar Ratan Lal Export Limited Registered
Office, 15b, Hemant Basu Sarani, Kolkata, 700001, INDIA).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 750 litres of liquor from
Scorpio vehicle.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession. It is further submitted that petitioner has purchased the said vehicle from Mohan Motors, Business Private Limited in September 2003 and resold it back to Mohan Motors in exchange of another vehicle on 13.11.2013 but it appears that Mohan Motors did not change the certificate of registration of the seized vehicle. It is next submitted that no prudent man 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.5,000/- (Rupees Five 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 Mali P.S. Case No. 37 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned Trial Court before accepting the bail



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

(Satyavrat Verma, J)

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