

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66462 of 2022

Arising Out of PS. Case No.-318 Year-2022 Thana- JANDAHA District- Vaishali

PRABHAT SINGH Son of Sakaldeep Singh Resident of village -
Mohiuddinpur Garahi, P.S.- Jandaha, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 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 Section 414 of the Indian Penal Code read with Sections 30(a), 36 and 41(i) 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 1022.5 litres liquor from Indrajeet Sahani's house, Bolero pickup vehicle and three motorcycles, it is next alleged that out of the total recovery, 8.64 litres liquor was recovered from the motorcycle of the petitioner.

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



transpired in the confessional statement of Indrajeet Sahani in police custody which does not have any evidentiary value, further he also came to be implicated as he is owner of one of the motorcycles, it is further submitted that no prudent man would use his own vehicle for committing an occurrence and thus create evidence against himself further the petitioner was completely unaware that Indrajeet would misuse his 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 Jandaha P.S. Case No. 318 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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