

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70082 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- BHAGWANPUR District- Vaishali

VINOD KUMAR S/O VIJAN SINGH Resident of village- Hardas Bigha,
Baikathpur, P.S.- Khushrupur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 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 Sections 272, 273, 467 and 468 of the Indian Penal Code read with Sections 30(a), 36 and 41(1) 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 2313.360 litres liquor from a truck.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that he had given the truck to one Arun Kumar and he was completely unaware that he will misuse the vehicle for such an illegal purpose though he had made payment of the truck but



had not got the truck transferred in his name, it is also submitted that had the petitioner been owner of the truck then definitely he would not have used the same for committing an offence 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. 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 Bhagwanpur P.S. Case No. 153 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 of the petitioner shall verify his criminal antecedents and if it is found that the petitioner has antecedent even of a single case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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