

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67578 of 2022**

Arising Out of PS. Case No.-552 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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AFSAR AHMAD S/o Md. Mustaque R/o Mohalla- Uchchanar Dargi Tole,
P.S.- Uchchanar kotwali, Distt- Raihaveli (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, 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 virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 120(B) of the Indian Penal Code read with 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 4096.08 liters 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 and he came to be implicated because he is owner of the alleged truck, it is next



submitted that he had purchased the truck for business purpose and no prudent businessman would use his own vehicle for committing an occurrence and thus create evidence against himself, it is further submitted that petitioner was completely unaware that the transporter and the driver 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 trial court 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 trial court where the case is pending/successor court in connection with Mufassil P.S. Case No. 552 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 in the event, if it is found that the petitioner has got criminal antecedent even of one case, then the present anticipatory bail



order shall not be acted upon.

(Satyavrat Verma, J)

Rishi/Shubam/-

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