

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69175 of 2022

Arising Out of PS. Case No.-566 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

PAWAN KUMAR SINGH S/O Dev Murat Singh R/O Village- Padhauti, P.S-
Bhabhua, District- Kaimur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

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 30(a) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 864 liters of liquor from a pickup van.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated on the ground that he is owner of the alleged pickup van, it is further submitted that petitioner was completely unaware that driver would misuse the vehicle for such illegal purpose, as no prudent businessman would use his own vehicle



for committing a crime 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each 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 Mohania P.S. Case No. 566 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

(Satyavrat Verma, J)

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