

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9989 of 2023

Arising Out of PS. Case No.-197 Year-2022 Thana- MARANCHI District- Patna

ROHIT KUMAR Son of Mahesh Tanti @ Mahesh Kumar R/v- Maranchi
Krishna Tola, P.S.- Maranchi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-05-2023 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

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

Allegation is of recovery of 33.450 litres of liquor from a car.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated as he is the owner of the car. It is further submitted that no prudent person would use his own vehicle for committing a crime and thus would create evidence against



himself and hence would get implicated, when admittedly petitioner is a person with clean antecedent. It is next submitted that one Niranjana Kumar had taken the car and, as such, the petitioner was not aware that the vehicle would be misused in the manner as alleged. It is also submitted that even the Chawkidar disclosed the name of the petitioner with whom he is on an inimical term.

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 Maranchi P.S. Case No. 197 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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