

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21195 of 2023**

Arising Out of PS. Case No.-358 Year-2022 Thana- VAISHALI District- Vaishali

CHUNNNU KUMAR SON OF ARUN KUMAR @ ARUN THAKUR. R/O
VILLAGE- BAKHTAUR, P.S.- GORAUL, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 15-05-2023 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 offences punishable under Sections 30(a), 32(ii) 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 total recovery of 3429 liters of liquor from a truck, Mahindra Pick-up, motorcycle and *Bathan* of Babloo Singh.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that one Pankaj was arrested from the place of occurrence. It is further submitted that petitioner is not named in the F.I.R. nor the apprehended accused disclosed his name and petitioner is



neither the owner of the truck nor any of the vehicles nor the *Bathan*, but he came to be implicated as he, as a middle man, has provided the truck to Pankaj for transportation and thus was not aware that Pankaj would misuse the vehicle for such illegal purpose, when admittedly petitioner is a person with clean antecedent.

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) 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 Vaishali P.S. Case No. 358 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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