

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17611 of 2023**

Arising Out of PS. Case No.-153 Year-2021 Thana- CHACKMEHSI District- Samastipur

=====

RAMBHARAT RAY S/O LATE NATHUNI RAY R/O VILLAGE-
MOHAMMADPUR, DEOPAR, P.S- PUSA, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Sangeeta Sharma

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 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 Section 30(a) 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 380.16 liters of liquor from a Bolero Pick-up Van and Hero Honda Motorcycle, further from the campus of one Dharmendra Kumar and also from a land situated in front of the house of Dharmendra Kumar.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that he came to be implicated since, he is the owner of the vehicles. It is next submitted that petitioner is a business



man and the vehicles is used for commercial purpose and thus was not aware that the person who had taken his vehicles would misuse the same in the manner alleged, it is further submitted that no prudent person would use his own vehicle for committing a crime and thus would get implicated easily when admittedly the 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chakmehsi P.S. Case No. 153 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

U		T	
---	--	---	--

