

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17255 of 2023

Arising Out of PS. Case No.-213 Year-2019 Thana- DAGARUA District- Purnia

SANTOSH KUMAR @ SANTOSH KUMAR BHAGAT S/O- MOHAN
PRASAD BHAGAT MOHALLA-FORBISGANJ, WARD NO. 7, P.S.
FORBISGANJ, DISTRICT-ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 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 Excise Act and Sections 272, 273, 279, 353 and 427 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 203.97 liters of liquor from a Scorpio vehicle and two persons were arrested.

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 petitioner had sold his car much prior to the occurrence, it is also submitted that had the petitioner been the owner of the car then definitely being a prudent person he would not have used his own car for committing a crime and thus would create evidence against himself and hence would be implicated easily, 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dagarua P.S. Case No. 213 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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