

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18178 of 2023

Arising Out of PS. Case No.-6 Year-2023 Thana- PIYAR District- Muzaffarpur

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ABHISHEK KUMAR @ ABHISHEK PANDEY SON OF BAIDHNATH
PANDEY RESIDENT OF VILLAGE - TEPARI, P.S. - PIYAR, (O.P.
HATHA), DISTT. - MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

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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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016-18.

Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.

Allegation is of recovery of 93 litres of liquor from a
hut and a motorcycle.

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 based on the fact that the motorcycle was registered
in his name. It is further submitted that petitioner had given the



motorcycle to one Prabhat Kumar who misused his vehicle for committing the crime and even was arrested at the spot. It is thus submitted that petitioner was completely unaware that Prabhat Kumar would misuse his vehicle for committing such an illegal act and the police falsely implicated the petitioner based on his 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty 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 Piar (Hatha) P.S. Case No. 06 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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