

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21625 of 2023

Arising Out of PS. Case No.-297 Year-2022 Thana- KUTUMBA District- Aurangabad

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RAMASHISH CHOUDHARY S/O LATE SOHAN CHAUDHARY Resident
of Village- Yamuna Nagar, P.S.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

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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) and 37 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 18.900 liters of liquor from a plastic bag tied to a TVS Moped.

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 being owner of the vehicle came to be implicated, it is further submitted that no prudent person would



misuse his own vehicle for committing a crime and thus would get implicated easily, it is next submitted that petitioner had given his Moped to Sonu Kumar who was arrested and thus he was not aware that Sonu would misuse the vehicle in the manner alleged.

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 Kutumba P.S. Case No. 297 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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