

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23287 of 2023

Arising Out of PS. Case No.-252 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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MAHTO SURAJ BHOLA Son of Mahto Bhola R/V- Bhalui Bashara PS- Raja
Pakar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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(i), 32(3), 41(i) and 41(2) 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 107 liters of liquor from an e-rickshaw and a motorcycle

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 is not the owner of the motorcycle and he came to be implicated as the e-rickshaw was registered in his



name, it is further submitted through e-rickshaw the petitioner earns his livelihood and he had given the e-rickshaw to one Kunal Kumar, and as such, was not aware that Kunal Kumar would misuse the vehicle in the manner as alleged. It is also submitted that no prudent person would use his own vehicle for committing a crime and thus would get implicated.

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) each 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 Hajipur P.S. Case No. 252 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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