

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21160 of 2023**

Arising Out of PS. Case No.-334 Year-2022 Thana- BACHHWARA District- Begusarai

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MUKESH RAY @ MUKESH RAI SON OF KISHUN ROY @ KISHAN RAI
@ BOUDHA RESIDENT OF VILLAGE - GOPALPUR, WARD NO. 10, P.S.
- BACHHWARA, DISTT. - BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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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 36 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 70 liters of liquor from bamboo orchard of Simo Rai and 70 liters from a motorcycle and one Sanjay Rai was arrested.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted



that he came to be implicated being owner of the motorcycle. It is further submitted that no prudent person would use his own vehicle for committing a crime and thus would get implicated easily, it is next submitted that petitioner had given his motorcycle to Sanjay Rai and thus was not aware that he would misuse the vehicle for such illegal purpose.

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. 10,000/- (Rupees Ten Thousand) 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 Bachhwara P.S. Case No. 334 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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