

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25679 of 2023

Arising Out of PS. Case No.-448 Year-2022 Thana- MADANPUR District- Aurangabad

AWADHESH RAM @ AWADHESH PASWAN SON OF LATE
NAGESHWAR PASWAN RESIDENT OF VILLAGE - BARANDA
RAMPUR, P.S. - DHIBRA, DISTT. - AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 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 offences punishable under Section 414 of the Indian Penal Code and under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 25 liters of liquor from two motorcycles.

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 as he is the owner of one of the motorcycles from which 15 liters of liquor was recovered. Learned counsel next submits that no prudent person would use



his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is next submitted that petitioner had sold the vehicle to one Vinay Yadav much prior to the occurrence, as such he had no concern with the motorcycle thereafter.

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 Madanpur P.S. Case No. 448 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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