

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21178 of 2023**

Arising Out of PS. Case No.-23 Year-2023 Thana- SARAI RANJAN District- Samastipur

BAIDYANATH RAI @ RAVI KUMAR @ BAIDYANATH RAY Son of Jay
Mangal Rai @ Jay Mangal Ray R/o village - Akhtiyarpur Khajuri, P.S.-
Sarairanjan (Ghatho O.P.), Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

**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 272, 273 and 34 of the Indian Penal Code and under Sections 30(a), 41(i) (ii) 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 1320.810 liters of liquor from a truck and a motorcycle and one Shiv Kumar 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 petitioner came to be implicated being owner of the motorcycle, it is thus submitted that no prudent person would



use his own vehicle for committing a crime and thus would get implicated easily. It is further submitted that petitioner had given his motorcycle to Shiv Kumar and thus was not aware that he would misuse the vehicle in the manner as alleged in the F.I.R.

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. 5,000/- (Rupees Five 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 Sarairanjan (Ghatho O.P.) P.S. Case No. 23 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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