

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25873 of 2023

Arising Out of PS. Case No.-227 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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SUBHASH KUMAR SHARMA SON OF GURUDAYAL SHARMA
RESIDENT OF VILLAGE- GANGARYDIH PS- CHAKAI, DISTT- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Meena Singh, 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 Section 30(a) 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 14 liters of liquor from a back portion of dickey of
the 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 came to be implicated as he is owner of



the motorcycle, it was next submitted 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 Ajay and thus was not aware that the vehicle would be misused in the manner as alleged, when admittedly petitioner is a person with clean antecedent.

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 Government Official Comp. P.S. Case No. 227 C2/21 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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