

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29400 of 2023

Arising Out of PS. Case No.-349 Year-2022 Thana- SABAUR District- Bhagalpur

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GUNJAN KUMAR SON OF NAWAL KISHOR YADAV Resident of village
-Gwalpara, Ward No. 8, P.S. - Golpara, Distt. - Madhepura (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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, 419 and 420 of Indian Penal Code and Section 30(a), 32(i)(ii) and 41 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 106 liters of liquor from a Maruti Car.

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 he came to be implicated as he is owner of the vehicle, it is further submitted that no prudent person would use



his own vehicle for committing a crime and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that Babul would misuse the vehicle in the manner as alleged as he was arrested when the seizure was made.

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 Sabour P.S. Case No. 349 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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