

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28307 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- MEHANDIGANJ District- Patna

1. SHRAVAN KUMAR Son of Shree Krishna Rai Resident of Village - Kaimashikoh Kila Road, P.O.- Jhauganj, P.S.- Patna City, District - Patna
2. Krishna Ray Son of Shree Ramdev Ray Resident of At - Kalla Road, P.C.M. Maroofganj, P.S.- Maroofganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case and allegation is of recovery of 40 liters of liquor from two motorcycles.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot, as such, nothing was recovered from their conscious possession and they came to



be implicated being owners of the motorcycles, it is next submitted that no prudent persons would misuse their own vehicle for committing a crime and thus would get implicated easily, it is also submitted that petitioners were completely unaware that their friend who had taken the motorcycles would misuse the vehicles in the manner as alleged in the FIR.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Mehsndiganj P.S. Case No. 01 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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