

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26434 of 2023

Arising Out of PS. Case No.-28 Year-2022 Thana- FATEHPUR District- Gaya

SANDIP YADAV Son of Indradeo Yadav Resident of village-Macchrah, P.S.-
Fatehpur, District-Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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 has antecedent of one case and allegation is of recovery of 150 liters of liquor from a motorcycle kept in a sack.

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 further submitted that no prudent person would



use his own vehicle for committing a crime and thus would get implicated easily. It is next submitted that petitioner had given his motorcycle to one Sonu Kumar and thus was not aware that the vehicle would be misused in the manner as alleged, further Sonu Kumar was also arrested at the spot.

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 Fatehpur P.S. Case No. 28 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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