

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27770 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- KADWA District- Katihar

MANTOSH KUMAR SON OF SHALIGRAM PRASAD SINGH R/O
VILLAGE- BARAUNI PATHA, P.S.- TEGHRA, DISTRICT- BEGUSARAI
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bambam Kumar

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 2.580 liters of liquor from an Auto and 83 liters of liquor from a 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 that the petitioner being owner of the car came to be implicated in a mechanical manner, it is next submitted that no prudent person would use his own vehicle for committing a



crime and thus would create an evidence against himself and hence would get implicated easily, when admittedly petitioner is a person with clean antecedent, it is also submitted that the petitioner had already sold his car as would be evident from Annexure 2 much prior to the occurrence and this perhaps explains that why petitioner was not arrested from the spot or was found at the place of occurrence.

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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kadwa P.S. Case No. 74 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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