

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26598 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- GOH District- Aurangabad

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SUDHIR KUMAR @ RAMJEET KUMAR S/O BALESHWAR YADAV
Resident of Village- Dihuri, P.S.- Goh, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manisha Prakash

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

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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 24 liters of liquor from a TVS 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 next submitted that the petitioner came to be implicated based on the fact that the motorcycle was registered in his name, it is next submitted that no prudent person would use his own vehicle for



committing a crime and thus would get implicated, it is further submitted that the petitioner had given his motorcycle to a friend and, as such, was not aware that the vehicle would be misused in the manner as alleged, when, admittedly, the 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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Goh P.S. Case No. 91 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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