

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 26791 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- HATHUA District- Gopalganj

=====

ABHISHEK SINGH S/O RAMESH SINGH Resident of Village- Ramgadh
P.O.- Khalwa, P.S.- Nautan, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, A.P.P.

=====

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 8 liters of liquor from a Scorpio vehicle.

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 petitioner came to be implicated as the vehicle is registered in the name of his father, it is further submitted that no prudent person would misuse his own vehicle for committing



a crime and thus would get implicated easily, it is next submitted that petitioner came to be implicated based on secret information which is the easiest way to implicate someone, when admittedly petitioner is a person with clean antecedent and the petitioner was completely unaware that the driver would misuse the vehicle in the manner as alleged in the FIR.

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 Hathua P.S. Case No. 34 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

U		T	
---	--	---	--

