

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 27174 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- BASOPATTI District- Madhubani

SHAKTIDHAR KUMAR S/o- GANGADHAR YADAV Village- Radh ward
no-1, Ps- Kaluahi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, 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 Sections 272, 273 of the Indian Penal Code and 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 4.125 liters of liquor from the motorcycle of the petitioner.

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 he came to be implicated since he is owner of the



motorcycle, it is also submitted that no prudent person would misuse his own vehicle for committing a crime and thus would get implicated easily, it is further submitted that one Anil had taken his motorcycle but was arrested when the liquor was recovered, as such, the petitioner was completely unaware that Anil 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 Basopatti P.S. Case No. 22 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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