

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27341 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

JAGPAL SON OF HASHIYAR SINGH @ HOSHIYARA VILLAGE-
SARAGTHAL PS- GOHANA, DISTT- SONIPAT (HARIYANA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, A.P.P.

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 Sections 272, 273, 420, 120(B) of the Indian Penal Code and Sections 30(a), 32(I)(II), 36 and 41(I) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

Allegation is of recovery of 427.320 litres of liquor from a truck.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner being the owner of the truck came to be implicated. It is next submitted that no prudent businessman would use his



own vehicle for committing a crime and thus would create evidence against himself and, hence, would get implicated easily. It is also submitted that the truck of the petitioner was hired and, as such, the petitioner was completely unaware that the driver along with the hirer of the truck would misuse the vehicle in the manner as alleged in the FIR. It is further submitted that no prudent businessman would disrepute his own business.

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 Court below 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 court below where the case is pending/successor court in connection with Bhairavsthan P.S. Case No. 05 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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