

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29309 of 2023**

Arising Out of PS. Case No.-112 Year-2022 Thana- INARWA District- West Champaran

AKASH GUPTA @ AKASH KUMAR S/O SRI BIPIN GUPTA @ BIPIN PRASAD GUPTA Resident of Village- Srirampur, P.S.- Gaunha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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 and 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 one antecedent and allegation is of recovery of 25.8 liters of liquor from a bag tied to a motorcycle and one Ramesh was arrested who disclosed that the motorcycle is registered in the name 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 petitioner being owner of the motorcycle came to be implicated. It is next submitted that no prudent person would use his own vehicle for committing a crime and thus would create evidence against himself and hence would get implicated. It is next submitted petitioner was completely unaware that Ramesh would misuse the vehicle in the manner as alleged.

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. 5,000/- (Rupees Five 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 Inarwa P.S. Case No. 112 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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

