

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27653 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- PANJWARA District- Banka

RAHUL KUMAR Son of Sidheshwar Prasad R/v- Shekhpura, P.O.-
Sorampur, P.S.- Pipra (Punpun), Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Ajay Kumar Jha

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 30(a) and 32(2) 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 172.575 liters of liquor from an Alto Car and 142.2 liters of liquor from a Santro Car and Bhola, Sanoj and Sanatan were arrested.

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 the petitioner being the owner of the Alto Car 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 an evidence against himself and hence would get implicated easily. It is next submitted that the petitioner had given his car to his friend Sanoj and, as such, was not aware that the vehicle would be misused in the manner as alleged in the FIR when, admittedly, 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 Panjwara P.S. Case No. 44 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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