

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28074 of 2023

Arising Out of PS. Case No.-472 Year-2022 Thana- AURANGABAD TOWN District-
Aurangabad

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DHIRAJ KUMAR Son of Surendra Prasad Singh Resident of village -
Dayalpur, P.S. - Hajipur Sadar, Distt. - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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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 420, 467, 471 and 120B of the Indian Penal Code and under Sections 30(a), 32(ii)(iii) and 41(i) 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 720 liters of liquor from a container found near Panchdev Mandir along with a Swift Dzire Car.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated being the owner of the Dzire car. It is next submitted that no prudent person would his own vehicle for committing a



crime and thus would create evidence against himself and hence would get implicated easily. It is further submitted that the petitioner was completely unaware that the driver would misuse the vehicle in the manner as alleged, when admittedly the 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 Aurangabad (Town) P.S. Case No. 472 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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