

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28077 of 2023

Arising Out of PS. Case No.-332 Year-2022 Thana- BANIAPUR District- Saran

RAM BABU KUMAR @ RAMBABU KUMAR RAM Son of Ram Kishun
Ram Resident of village-Asoiyan, P.S.-Marhowrah, District-Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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 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 80 liters of liquor from a motorcycle and 1.620 liters of liquor from possession of Barun Bharti.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner came to be implicated as he is owner of the motorcycle. It is further 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 that petitioner was completely unaware that Barun 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. 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 Baniyapur P.S. Case No. 332 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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