

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28102 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- CHENARI District- Rohtas

=====

BHUNESHWAR DUBEY SON OF SHRI RAJBANSH DUBEY RESIDENT
OF VILLAGE LOHANDI P.S. KARAMCHAT DISTT KAIMUR BHABUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate

For the Opposite Party/s : Md. Matloob Rab, 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 17.28 liters of liquor from motorcycle.

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, being owner of the motorcycle, came to be implicated in the case in a mechanical manner. 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, when admittedly petitioner is a person with clean antecedent. It is next submitted that petitioner was completely unaware that Rahul would misuse the vehicle in the manner as alleged in the FIR as he was arrested when alleged seizure was made.

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 Chenari P.S. Case No. 142 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

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

