

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29546 of 2023

Arising Out of PS. Case No.-171 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

HANUMAN Son of Bhani Ram Resident of village-Block 1 Near Saffoj
Public School Bhattu Kalan (16), P.S.-Bhattu Kalan District-Fatehabad,
Harayana

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, 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 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 3123 litres of liquor from a truck.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of driver of the vehicle in police custody which does not have any evidentiary value, it is next submitted that petitioner is a businessman and



he had sold the truck to one Mohit Taneja (Annexure-) and as such had no concern with the truck. It is further submitted that had the petitioner been owner of the truck then definitely he would not have used his vehicle for committing a crime and thus creating evidence against himself and hence would have got implicated and at the same time would have brought disrepute to his business.

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 Court below 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 court below where the case is pending/successor court in connection with Durgawati P.S. Case No. 171 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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