

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31536 of 2023

Arising Out of PS. Case No.-108 Year-2021 Thana- BAKHTIYARPUR District- Patna

VIKASH KUMAR SON OF LATE RAVINDRA RAY RESIDENT OF
VILLAGE- NAYA TOLA SABNIMA, PS- BAKHTIYARPUR, DISTT-
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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), 32(i)(iii), 41(i)(ii) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 2419.920 liters of liquor recovered from a container and the driver fled.

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 petitioner being owner came to be implicated, it is



next submitted that petitioner is a businessman and no prudent businessman would use 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 petitioner was completely unaware that the hirer of the container in connivance with the driver would misuse the vehicle in the manner as alleged in the FIR.

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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bakhtiyarpur P.S. Case No. 108 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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