

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29889 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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GHANSHYAM SINGH SON OF LATE CHHABI NATH SINGH R/O-
GOVIND CHOWK, GOVIND CHAK, P.S.-SONEPUR, DISTT.-SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

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

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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 Sections 30(a) and 56 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 1 liter of liquor from possession of Santosh Kumar and 1.5 liter of liquor from a 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 and he came to be implicated as he is owner of the motorcycle which was seized. 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 the motorcycle was taken by the son of the petitioner who was arrested when the seizure was made, as such petitioner was completely unaware that the vehicle would be misused by his son 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 Excise Patna P.S. Case No. 45 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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