

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29876 of 2023

Arising Out of PS. Case No.-415 Year-2021 Thana- AKBARPUR District- Nawada

VIKASH KUMAR SON OF KAMLESH DAS RESIDENT OF VILLAGE -
PURAINI KUHILA, P.S. - THALI, DISTRICT - NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, 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 50 liters 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 based on the fact that he is owner of the seized vehicle. It is further submitted that no prudent person would use his own vehicle for committing an occurrence and thus would



create evidence against himself and hence would get implicated. It is next submitted that petitioner was completely unaware that Sachin would misuse the vehicle in the manner as it has been alleged in the F.I.R, as he had taken the motorcycle and was also arrested when the 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 Akbarpur P.S. Case No. 415 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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