

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30175 of 2023

Arising Out of PS. Case No.-251 Year-2022 Thana- GOH District- Aurangabad

=====

Kumar Himansu Suman S/o Krishna Nath Jha Resident of Jamudag Road
Khunti P.O. Khunti P.S. Khunti Namkom Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 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 103.68 litres liquor from an Alto car.

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 as the car was registered in his name, it is further submitted that no prudent person would use his own vehicle for committing a crime and thus create evidence against himself



and hence would get implicated. It is further submitted that the car was purchased on finance from Chola Finance Company and since the petitioner was not able to pay the EMI as such the bank took the vehicle forcefully and thereafter sold to another customer much prior to the occurrence, this perhaps explains why the petitioner was not found at the place of occurrence.

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 Goh P.S. Case No. 251 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

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

