

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31146 of 2023

Arising Out of PS. Case No.-301 Year-2021 Thana- BABUBARHI District- Madhubani

VIJAY KUMAR @ VIJAY KUMAR PURBEY SON OF SURESH PURBEY
R/O-MARUKIYA, P.S.-ANDHRATHADI, DISTT.-MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

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

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 Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

Allegation is of recovery of 41.625 litres of liquor from a Hyundai Car.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that no doubt the vehicle belongs to the petitioner but he had sold the same much prior to the occurrence or else no prudent



person would use his own vehicle for committing a crime and thus would create evidence against himself and hence would get implicated, when admittedly petitioner is a person with clean antecedent.

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 Babubarhi P.S. Case No. 301 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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