

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32296 of 2023

Arising Out of PS. Case No.-28 Year-2022 Thana- GALGALIYA District- Kishanganj

BIKASH SHAW @ BIKSH SHAW son of Kapil Deb Shaw Village- Old
Pandapara Kalibari Ps- Kotwali (Jalpaiguri) Dist- Jalpaiguri, W.B

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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 41(i) 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 83.250 liters of liquor from a vehicle and Rahul along with two others were arrested.

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 he came to be implicated as he is owner of the vehicle, it is next submitted no prudent person would use his



own vehicle for committing an occurrence and thus would create an evidence against himself and hence would get implicated, it is further submitted that petitioner is completely unaware that his friend Rahul would misuse the vehicle 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Galgalia P.S. Case No. 28 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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