

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32357 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- WARISNAGAR District- Samastipur

RAJEEV KUMAR CHAUDHARY Son of Surendra Prasad Chaudhary
Resident of village - Ward no. 14, Jadu Paran, P.S. - Chakmehsi, Distt. -
Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, 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 37(c) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 375 liters of liquor from a car and Nathuni along with Krishna was arrested.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner, being owner of the vehicle, came to be implicated, when no prudent person would use his own vehicle



for committing a crime and thus would create an evidence against himself and hence would get implicated easily, it is next submitted that petitioner was completely unaware that Nathuni and Krishna would misuse the vehicle in the manner as alleged, as they had taken the car for going in a marriage.

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. 5,000/- (Rupees Five 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 Warisnagar (Mathurapur O.P.) P.S. Case No. 53 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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