

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34943 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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PAWAN KUMAR RAJGARHIA @ PAWAN RAJGADHIYA Son of Late
Deep Chand Rajgadhiya Resident of Flat No. 10B/C, 14/2, Burdwan Road,
P.S. - Alipore, Distt. - Kolkata, West Bengal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Singh

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-06-2023 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),
30(c), 30(f), 33, 34(b) and 41(1) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of six cases and allegation is of
recovery of 1200 liters of liquor from the godown of Maa
Annapurna Transport of Ramesh Kumar.

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 that the antecedent of the petitioner is business related



and is not under the Excise Act, it is further submitted that no prudent person would use his own premises for committing a crime and thus would create an evidence against himself and hence would get implicated easily, it is next submitted that the petitioner was completely unaware that his godown was being misused by Ajay Dubey who works for the petitioner in the said Transport Agency.

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. 25,000/- (Rupees Twenty 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 Motihari Town P.S. Case No. 204 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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