

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33195 of 2023**

Arising Out of PS. Case No.-73 Year-2023 Thana- GUTHANI District- Siwan

=====

UMESH KUMAR TIWARI SON OF LATE MOHINI GOPAL TIWARI  
RESIDENT OF VILLAGE- KASHI BAZAR, PS- BHAGWANPUR BAZAR,  
DISTT- SARANAT CHAPRA B

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      25-05-2023                      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 86.400 liters of liquor from a Maruti Car, 60.480  
liters of liquor from a Scorpio and 8.640 liters of liquor from a  
motorcycle.

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 is a retired government servant and came to be



implicated being owner of the Maruti car. It is next submitted that 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 further submitted that his son had taken the car and had gone to U.P and while returning the present allegation came to be 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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Guthani P.S. Case No. 73 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishabh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

