

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33242 of 2023

Arising Out of PS. Case No.-1097 Year-2022 Thana- BIHTA District- Patna

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SUJEET KUMAR JAISWAL @ SUJEET JAISWAL SON OF ARVIND
JAISWAL RESIDENT OF VILLAGE- SIPAH IBRAHIMABAD, P.S.
MADHUBAN, DISTRICT MAU, UTTAR PRADESH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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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 Sections 420, 467, 478 and 34 of the Indian Penal Code and under Sections 30(a), 32, 36 and 41 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 877.5 liters of liquor from a truck and three accused persons were arrested including Subhash.

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 businessman and came to be implicated being owner of the truck. 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. It is further submitted that petitioner was completely unaware that hirer of the truck in connivance with the driver, Subhash, 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. 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 Bihta P.S. Case No. 1097 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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