

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33392 of 2023

Arising Out of PS. Case No.-326 Year-2020 Thana- BAKHARI District- Begusarai

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PANKAJ KUMAR SHARMA SON OF NANDKISHORE SHARMA @
NANDKISHOR SHARMA RESIDENT OF VILLAGE- BHARRA, WARD
NO. 3, PO SUJA, PS- MUFFASIL, DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Akbar Ali, 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 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 15 liters of liquor from the possession of co-accused
Rupesh Kumar and Ajit Kumar and one motorcycle was seized.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, and he came to be
implicated being owner of the motorcycle, it is further submitted



no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is next submitted that petitioner was completely unaware that Rupesh and Ajit would misuse the vehicle in the manner as alleged when admittedly petitioner is a person with clean antecedent.

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 Bakhri P.S. Case No. 326 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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