

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33614 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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DR. BIBHUTI NATH JHA S/O DR. LATE PANDIT JAGDISH JHA R/O
Village- Flat No. 2/C, Maynak Manan Apartment, Maurya Path, Ashok Puri,
Near Khajpura, P.S- Patna Sadar, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

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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 offence 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 69.120 liters of liquor from a Swift Dzire car and
Rahul was arrested.

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 he came to be implicated alleging that he is



owner of the vehicle in question, it is further submitted that no prudent person would misuse his own vehicle for committing a crime and thus would get implicated easily, when admittedly petitioner is a person with clean antecedent. The learned counsel next submits that petitioner was completely unaware that Rahul would misuse the vehicle in the manner as alleged in the FIR.

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 Siwan P.S. Case No. 191 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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