

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33975 of 2023

Arising Out of PS. Case No.-423 Year-2021 Thana- GORAUL District- Vaishali

KAMAL PASWAN S/O LATE MOTI PASWAN R/O Village-Shekhpora
Gangati, Post Office-Karhatiya Buzurg, P.S.-Goraul, District-Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parijat Saurav, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-06-2023 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 272 and 273 of the Indian Penal Code and under Sections 30(a), 32(ii), 38(ii) and 41(i) 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 36 liters of liquor from a Tavera car and 9 liters of liquor each from four motorcycles as detailed in the F.I.R.

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 he came to be implicated as he is the owner of one of the



seized motorcycles. It is further submitted that no prudent person would use his own vehicle for committing a crime and thus would create evidence against himself and hence would get implicated easily. It is further submitted that petitioner had already sold his vehicle to one Pawan Kumar who also got arrested.

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 Goraul P.S. Case No. 423 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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