

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36598 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- BATHNAHA District- Sitamarhi

=====

AFTAB ALAM S/O MD SERAJUL Ward No. 1, Agha, Nagar, Post-
Puroshottampur, P.S-Maniyari, District-Muzaffarpur, Bihar, Pin Code-842002

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

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

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

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2023 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 offence punishable under Section 30(a) 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 23.100 liters of liquor from a motorcycle.

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 petitioner came to be implicated being owner of the motorcycle but then the motorcycle was stolen much prior to the occurrence for which he has also filed a complaint in the



Court of learned CJM. It is next submitted that the motorcycle of the petitioner was stolen prior to the occurrence for which the petitioner had made endeavours for filing an FIR but no FIR was instituted though an application was submitted before the concerned Superintendent of Police of the District.

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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bathnaha P.S. Case No. 23 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

U		T	
---	--	---	--

