

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34600 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- JADOPUR District- Gopalganj

RISHU KUMAR @ RISHU RAI S/O SUNESHWAR RAI R/O Village- Barai
Patti, P.O- Barai Patti, P.S- Jadopur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

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 offence punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 4 liters of liquor from a place behind the shop of one Parma Patel and 36 liters of liquor from a Pulsor 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 being owner of the motorcycle came to



be implicated, it is further submitted that no prudent person would misuse his own vehicle for committing a crime and thus would get implicated easily, it is next submitted that petitioner was completely unaware that his neighbour 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. 15,000/- (Rupees Fifteen 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 Jadopur P.S. Case No. 175 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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