

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36212 of 2023**

Arising Out of PS. Case No.-359 Year-2022 Thana- LADANIA District- Madhubani

YASBANT KUMAR JHA @ YASHWANT KUMAR JHA Son of Diwakar
Jha Resident of village - Bela, P.S. - Babubarhi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shaheen Begum, APP

**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 offences punishable under Section 30(a) of the Bihar Excise Act and Sections 272 and 273 of the IPC.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 117.9 liters of liquor from three 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 he came to be implicated based on the fact that he is owner of one of the seized motorcycle, it is further submitted that no prudent man 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 his neighbour 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 Ladaniya P.S. Case No. 359 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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