

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38238 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- PHULWARIYA District- Gopalganj

SUBHASH @ SUBHASH CHANDER S/O RAM CHANDER R/O 78/3,
Bayyanpur (207) Beyanpur, P.S.- Sector-27 Sonipat, Dist. Sonipat, Haryana-
131001

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Manisha Prakash, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-06-2023 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 30(a) 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 558 liters of liquor from a Brezza Car.

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 the car was stolen on 03.01.2023 from a parking and as such he came to be implicated as he is owner of the seized



vehicle, it is next 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, 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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Phulwariya P.S. Case No. 30 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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