

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38545 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- MADHUBANI TOWN District-
Madhubani

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Gyanchan Paswan @ Gyanchadndra Paswan S/O Chalitar Paswan R/O Vill.
Haripur Gauri Das Tol, PS. Kaluahi, Dist. Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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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 Section 30(a) 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 two litres 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 and he being the
owner of the motorcycle came to be implicated, it is further
submitted that no prudent person would use his own vehicle for



committing an occurrence and thus would get implicated by creating evidence against himself, it is next submitted that the petitioner was completely unaware that his neighbour would misuse his vehicle in the manner as alleged.

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 Court below 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 court below where the case is pending/successor court in connection with Madhubani (Town) P.S. Case No. 53 of 2023 corresponding to G.R. No 292 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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