

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43199 of 2023

Arising Out of PS. Case No.-145 Year-2021 Thana- BALIA BELON District- Katihar

KANCHAN KUMAR SINGH SON OF SHANKAR SINGH RESIDENT OF
VILLAGE- MARIYA RAJWLI, PS- DAGARUA, DIST- PURNIA, STATE-
BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Suresh Prasad Sah @ Baranwal
For the Opposite Party/s :	Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 11-07-2023 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 27.06 liters of liquor from two motorcycles as detailed in the FIR.

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 the petitioner, being the owner of the motorcycles, came to be implicated in a mechanical manner. It is next submitted that no prudent person would use his own



vehicle for committing a crime and thus would create an evidence against himself and hence would get implicated easily, it is further submitted that the petitioner was completely unaware that his neighbor would misuse the 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 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 Balia Belon P.S. Case No. 145 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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