

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40260 of 2023

Arising Out of PS. Case No.-205 Year-2023 Thana- NAVINAGAR District- Aurangabad

MOHIT RAJ S/o- SUDAMA MEHTA, resident of Village - Saratu PS-
Tandwa Dist- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2023 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

Allegation is of recovery of 1.125 litres of liquor from a Maruti Car.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated merely because he is owner of the vehicle. It is further submitted that no prudent person 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 the driver, who was apprehended at the spot, 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 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 Nabinagar P.S. Case No. 205 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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