

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41723 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- DHURAIYA District- Banka

DEEPAK KUMAR SON OF SHASHI BHUSHAN PRASAD YADAV
RESIDENT OF VILLAGE -KISHANPUR, WARD NO 10, PS- SOUR
BAZAR, DISTT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2023 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 Sections 30(a) (g) 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 144.99 liters of liquor from a Tata car parked near a river.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated being owner of the seized vehicle, it is next



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 further submitted that petitioner was completely unaware that the driver of the vehicle 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 Dhoraiya P.S. Case No. 29 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

