

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48764 of 2023

Arising Out of PS. Case No.-606 Year-2023 Thana- KAHALGAON District- Bhagalpur

DHIRAJ KUMAR Son of Ram Lakhnan Prasad Yadav Resident of Mohalla-
Mustafapur, P.S.-Mayaganj, Barari, District-Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 49.500 liters of liquor from an auto.
4. 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 came to be
implicated based on the fact that he is owner of the auto, it is
further 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 next submitted that the petitioner had already sold the auto to Lalchan Mandal but then the ownership was not transferred and it appears that Lalchan Mandal committed the occurrence and the petitioner got implicated.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 Kahalgaon (Rasalpur) P.S. Case No. 606 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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