

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54888 of 2023

Arising Out of PS. Case No.-30 Year-2021 Thana- KADIRGANJ District- Patna

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SANJAY PRASAD SON OF BHUNESHWAR PRASAD @
BHUNESHWAR YADAV RESIDENT OF VILLAGE -JILAL BIGHA, PS-
MASAURHI, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Tiwari, Advocate

For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-08-2023 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 offence 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 75 liters of liquor from a motorcycle.
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, it is next
submitted that petitioner being owner of the seized vehicle came
to be implicated, it is next submitted that no prudent person



would use his own vehicle for committing an occurrence and thus would create evident against himself and thus would get implicated easily, it is further submitted petitioner was completely unaware that the driver of the vehicle would use the vehicle in the manner as alleged in the FIR.

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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kadirganj P.S. Case No. 30 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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