

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54751 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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SUCHIT KUMAR SON OF BASANT SAO RESIDENT OF VILLAGE -
PAKRIWARAMA, BUS STAND, P.S. - PAKRIWARAMA, DISTRICT -
NAWADAH

... .. Petitioner/s

Versus

THE STATE OF PATNA, BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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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 offences punishable under Sections 30(a),
32(2), 41(1) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 270 liters of liquor from a Xylo car.
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 he came to be implicated as he is the owner of
the seized vehicle, 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 next submitted that the petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged.

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. 5,000/- (Rupees Five 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 Sheikhopur-Sarai P.S. Case No. 44 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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