

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54279 of 2023

Arising Out of PS. Case No.-205 Year-2020 Thana- ASHOK PAPER MILL District-
Darbhanga

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Krishna Kumar Mukhiya Son Of Ram Sogarath Mukhiya Resident Of Village
- Ramaili, Police Station - Hayaghat, District - Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection
with APM (Ashok Paper Mill) P.S. Case No. 205 of 2020
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 04 litres 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 and being owner
of the motorcycle he came to be implicated in the present case,



it is further submitted that no prudent person would use his own vehicle for committing an occurrence and thus would get implicated by creating evidence against himself and the petitioner was completely unaware that Anuj who had taken his motorcycle 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 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 APM (Ashok Paper Mill) P.S. Case No. 205 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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