

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56403 of 2023

Arising Out of PS. Case No.-37 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

=====

RAMESH KUMAR SINGH S/O RAJ KUMAR SINGH RESIDENT OF
QTR NO. 1043, SECTOR - 9/C, STREET NO. -26, P.S. - HARLA BOKARO
STEEL CITY

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Jai Narain Thakur

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 25-08-2023 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 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 215.625 liters of liquor from a Sumo 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 the petitioner came to be implicated based on the
fact that 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 further submitted that the petitioner prior to the occurrence had already sold the car to Shri Bishun Dev Sahni but the ownership was not transferred, it is thus submitted that it appears that the purchaser of the car, in absence of transfer of ownership, misused the vehicle in the manner as alleged when petitioner, admittedly, is a person with clean antecedent.

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 Excise Complaint Case No. 37 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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

