

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7339 of 2024

Arising Out of PS. Case No.-766 Year-2023 Thana- Excise P.S. District- Nalanda

Manohar Lal Son Of Chanan Dass Resident Of Village - A-30b, Gf Shivaji
Vihar Janta Colony, Tagore Garden, West Delhi Petitioner/s
Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No. 766 of 2023, registered for the offences punishable under Section 30(a)/32 of the Bihar Prohibition and Excise Amendment Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 277 liter of liquor from a Truck.

4. Learned counsel for the petitioner submits that the petitioner was not arrested 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 Truck. It is next submitted that petitioner is a businessman and no prudent businessman would use his own vehicle for committing an occurrence and thus would



create evidence against himself and hence would get implicated. It is next submitted that the petitioner was completely unaware that his driver Saina Prasad would misuse the vehicle in the manner as alleged, as he was also apprehended from the spot.

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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Principal Additional District and Sessions Judge- cum- Special Judge – IVth, Excise – 2, Biharsharif, Nalanda, where the case is pending/successor court in connection with Excise P.S. Case No. 766 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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