

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8257 of 2024

Arising Out of PS. Case No.-60 Year-2023 Thana- NTPC District- Bhagalpur

Abusad Khan, male, aged about 32 years, Son of Aslam Khan R/o vill -
Kajichak, Maheshkhut, P.S. - Gogari, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawnit Kumar Tiwary, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-02-2024 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 30 litres of liquor from a motorcycle.

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. It is next submitted
that petitioner, being owner of the motorcycle, came to be
implicated. It is next submitted that no prudent person would
use his vehicle for committing an offence and would create



evidence against himself and hence would get implicated. It is next submitted that petitioner was completely unaware that Mohammed Tausfi would misuse the vehicle in the manner as alleged, who was arrested 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 trial court where the case is pending/successor court in connection with NTPC P.S. Case No. 60 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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