

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9926 of 2024

Arising Out of PS. Case No.-60 Year-2020 Thana- PURNEA SADAR District- Purnia

Raj Raushan Shaw S/o Chhote Lal Shaw Resident of 61, Mandal Bazar Road
Anakha, Kanchrapara N-24, P.G.S. West Bengal, Present Address - C/o
Rajesh Gupta, Siliguri, Service Road, Pani Tanki More, Siliguri, District -
Darjeeling (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushanta Kumar Das

For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-02-2024 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 Sections 272 and
273 and 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 3095.250 litres 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. It is next submitted
that the petitioner is a businessman and he came to be
implicated based on the fact that he is owner of the truck. It is



next submitted that no prudent businessman would use his own vehicle for committing an act and thus would create evidence against himself and hence would get implicated and at the same time will bring disrepute to the business. It is further submitted that petitioner was completely unaware that Waheed Shah, the driver of the truck, would misuse the vehicle in the manner as alleged, who was also apprehend 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 Sadar P.S. Case No. 60 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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