

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5642 of 2024

Arising Out of PS. Case No.-300 Year-2023 Thana- DAUDPUR District- Saran

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VIJADHAR RAI S/O SURENDRA RAI R/O VILLAGE- SANTHA, P.S-
AWATARNAGAR, DISTT.- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Ms. Asha Devi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 268.575 litres of liquor
from a truck.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner is a businessman and his truck is hired for the
purposes of carrying goods. It is thus submitted that no prudent
businessman would bring disrepute to his own business. It is



next submitted that petitioner being owner of the truck came to be implicated in a mechanical manner when during the course of investigation no material transpired to connect the petitioner with the offence except the fact that he is owner of the truck.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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.5,000/- (Rupees Five 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 Daudpur P.S. Case No. 300 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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