

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6545 of 2024

Arising Out of PS. Case No.-143 Year-2017 Thana- GOVINDPUR District- Nawada

Gautam Kumar S/O VISHESHWAR YADAV @ VISHESHWAR PRASAD
VILLAGE- DHORHA, PS. PAKRIBARAWAN, DIST. NAWADA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Ms.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-02-2024 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 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 60 litres of liquor from two motorcycles, i.e., 30 litres of liquor from each 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 and he came to be implicated based on the fact that he is owner of the vehicle. It is further submitted that petitioner is not the owner of the vehicle rather owner of the vehicle is one Arvind Singh and Arvind



Singh sold the said bike to Imtiyaz and Imtiyaz was contemplating to sell the motorcycle to the petitioner but since Imtiyaz had not got the ownership of the bike transferred through the DTO as such the petitioner did not purchase the bike rather returned the same to Imtiyaz after the affidavit for purchasing the bike was prepared but then police in a mechanical manner investigates the case.

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 Govindpur P.S. Case No. 143 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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