

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7333 of 2024

Arising Out of PS. Case No.-368 Year-2023 Thana- KOCHAS District- Rohtas

Hanslal Rai S/O Late Jai Karan Rai Village- Rewatipur, Post- Office And Ps.-
Rewatipur, Dist. Gazipur (UTTAR Pradesh). Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Naresh Sharma, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, 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 Kochas P.S. Case No. 368 of 2023, registered for the offences punishable under Section 30(a) 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 43.56 liters of liquor from a car.

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 seized vehicle. It is next submitted that no prudent person 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 son who had taken the car would misuse the vehicle in the manner as alleged.

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 Exclusive Special Excise Court No. 2- cum- Additional District and Sessions Judge, Rohtas at Sasaram, where the case is pending/successor court in connection with Kochas P.S. Case No. 368 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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