

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11319 of 2024

Arising Out of PS. Case No.-768 Year-2022 Thana- MASAUDHI District- Patna

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Ajay Kumar @ Ajit Kumar Son Of Ganesh Paswan R/O-Domachak Harban-
shpur, P.S.-Masaurhi, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kameshwar Singh, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case regis-
tered for the offences punishable under Section 30(a) of the Bi-
har Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation of recovery
of 150 litres of liquor from a *Maruti* car and a motorcycle, as
detailed in the FIR.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was re-
covered from his conscious possession and he came to be impli-
cated based on the fact that he is owner of the seized motorcy-
cle. 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 further submitted that petitioner was completely unaware that his friend 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. 5,000/- (Rupees Five Thousand) 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 Masaurhi P.S. Case No. 768 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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