

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6880 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- BAISI District- Purnia

Nagendra Prasad @ Nagendra Prasad Yadav SON OF LATE JAGDISH PRASAD @ JAGDEESH PRASAD YADAV village -Talbari Sathiyar Chiraia Po- Baisi District -Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Baisi P.S. Case No.2/2023 registered for the offence punishable under Sections 272, 273 and 34 of the Indian Penal Code and Sections 30(a), 41 and 47 of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 3.900 litres of liquor from a motorcycle. It is next submitted 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 motorcycle. It is further submitted that the petitioner was completely unaware that Tansir would misuse the motorcycle in the manner as alleged as he was also arrested from the spot. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself.

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

5. 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.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge Court No.1, Purnea in connection with Baisi P.S. Case No.02/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

