

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6730 of 2024

Arising Out of PS. Case No.-551 Year-2023 Thana- Excise P.S. District- Begusarai

Deepak Kumar Son of Ram Shankar Singh Resident of Village-Keshawe,
P.S.-Barauni, Distt-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1

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) and 32(3) 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 total recovery of 404.100 liters of liquor from a motorcycle, scooty and a garage.
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 petitioner came to be implicated based on the fact that petitioner is the owner of the seized scooty from which only .360ml liquor was recovered.



It is further 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. 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 Excise P.S. Case No. 551 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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