

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12307 of 2024

Arising Out of PS. Case No.-65 Year-2022 Thana- NADI District- West Champaran

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Ankit Kumar Gautam Son of Rajbeer Singh R/O 19-A, Gali No. 15, Khushi Ram Colony, Vikas Nagar, Uttam Nagar, District- West Delhi, Delhi-Pin Code 110059

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Noushad Khan, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

4. Allegation is of recovery of 325.020 litres of liquor from a Baleno car.

5. Learned counsel for the petitioner submits that 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 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 next submitted that petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged when petitioner admittedly is a person with clean antecedent.

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

7. 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 court below where the case is pending/successor court in connection with Nadi P.S. Case No. 65 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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