

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8663 of 2024**

Arising Out of PS. Case No.-159 Year-2023 Thana- DHANAHA District- West Champaran

Abhay Kumar @ Abhay Kumar Verma SON OF LATE JAGAT NATH  
VERMA RESIDENT OF VILLAGE- BETTIAH DIH BANUCHHAPAR, PS-  
BETTIAH MUFFASIL, DIST- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      27-02-2024                      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 offence punishable under 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 34.560 litres of liquor  
from a Bolero vehicle.

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 the seized vehicle belongs to  
him. 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 friend Mukesh Kumar who had taken the vehicle would misuse the vehicle in the manner as alleged as he was also apprehended from the spot.

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 Dhanha P.S. Case No. 159 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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