

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8834 of 2024

Arising Out of PS. Case No.-300 Year-2023 Thana- RAJNAGAR District- Madhubani

Bablu Kumar S/o Rambabu Yadav Resident of Village - Kamlawari, Dhaultol, P.S. - Jaynagar, Dist. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Sah, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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 offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

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

4. Allegation is of recovery of 23.400 litres of liquor from a motorcycle.

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 motorcycle. 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 Sachin Kumar Yadav would misuse the vehicle in the manner as alleged who 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 Rajnagar P.S. Case No. 300 of 2023, G.R. No. 1710 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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