

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10333 of 2024

Arising Out of PS. Case No.-268 Year-2021 Thana- MADANPUR District- Aurangabad

Harsh Bhardwaj S/O YOGENDRA SINGH VILLAGE- BARA, P.O- BARA ,
PS.- NABI NAGAR, DIST. AURANGABAD.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh

For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Madanpur P.S. Case No.268/2021 registered for the offence
punishable under Section 30(a) and 33 of Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 70 litres of spirit from a pick up van and a
motorcycle. It is next submitted 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 motorcycle. It is next 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 the petitioner was completely unaware that his friend Upendra would misuse his vehicle in the manner as alleged, who was also apprehended from the spot.

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 Excise Special Judge-cum-Excise Court No.1, Aurangabad, in connection with Madanpur P.S. Case No.268/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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