

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17454 of 2024

Arising Out of PS. Case No.-86 Year-2020 Thana- PASRAHA District- Khagaria

MAHESH BHARDWAJ SON OF LATE SUDARSHAN KUMAR R/O-
SHIVAM APARTMENT, FLAT NO. 63, SECTOR-15, MANAV CHOWK,
P.S.-ROHINI, DISTT.-DELHI, (STATE-DELHI)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-03-2024 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 Section 30(a) 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
recovery of 1739.130 liters of liquor from a mini truck.

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 he came to be
implicated based on the fact that he is owner of the vehicle. 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 further submitted that petitioner was completely unaware that the driver of the vehicle would misuse the vehicle in the manner as alleged as no prudent businessman will bring disrepute to his own business by indulging in such activity, when petitioner admittedly is a person with clean antecedent.

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. 1,000/- (Rupees One Thousand) 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 Pasraha P.S. Case No. 86 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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