

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18127 of 2024

Arising Out of PS. Case No.-242 Year-2023 Thana- LADANIA District- Madhubani

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Guddu Kumar @ Guddu Kr. Son of Ram Sewak Yadav Resident of Village-
Tenuahi, P.S.- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Bharti

For the Opposite Party/s : Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 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 272 and
273 of the Indian Penal Code read with 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 128.76 liters of liquor from two motorcycles as
detailed in the FIR.

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 one of the
seized motorcycles. 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 his friend would misuse the vehicle in the manner as alleged, when admittedly petitioner 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 Ladaniya P.S. Case No. 242 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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