

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16129 of 2024

Arising Out of PS. Case No.-499 Year-2023 Thana- Excise P.S. District- Vaishali

RAJESH KUMAR SON OF UMESH SAHNI RESIDENT OF MOHALLA -
SAWAYAN, P.S. - SONEPUR, DISTRICT - SARAN (CHHAPRA)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a), 32(i), 32(iii), 41(i)(ii) of the Bihar Prohibition
and Excise Act, 2018.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 504 liters of liquor from a truck.

4. 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 in the instant case on
the ground that the seized truck belong to the brother of the
petitioner. It is further submitted that no prudent businessman
would use his own vehicle for committing an occurrence and



thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that his driver would misused the vehicle in the manner as alleged who was also apprehended from the spot.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-2-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Hajipur Excise P.S. Case No.499 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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