

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18676 of 2024

Arising Out of PS. Case No.-311 Year-2023 Thana- GAIGHAT District- Muzaffarpur

Mrityunjay Jha @ Mrityunjay Mohan Son of Dhru Narayan Pandey @ Dr. Dhruva Narayan Pandeya, Resident of Village- Sitalpur Kothi, Tole- Akbarpur, Police Station- Dariyapur, District- Saran (Chhapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-03-2024 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, 273, 420, 467, 468, 471 and 34 of the IPC and Sections 30(a), 32, 36 and 41(i) 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 3272.04 litres of liquor from a godown and three vehicles 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 is not the owner of



any of the seized vehicles and he came to be implicated based on the fact that he had taken the said godown on lease from where 3272.04 litres of liquor was recovered and rest 510 litres of liquor was recovered from the seized vehicles. It is further submitted that petitioner had taken the godown on lease for business purpose and no prudent businessman would use a premise which is registered in his name for the purposes of rent for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is further submitted that it appears that guard in connivance with some accused persons in absence of the petitioner misused the premises in question. It is also submitted that petitioner is Director of Amrapali Agor Pvt. Ltd and has several business permises at several place as such it does not appear probabale that a person of repute would indulge in such activity.

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. 500/- (Rupees



Five Hundred) 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 Gaighat P.S. Case No. 311 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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