

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19934 of 2024**

Arising Out of PS. Case No.-565 Year-2023 Thana- RAJAON District- Banka

Rajesh Kumar S/o Late Dinesh Paswan R/o Village- Meghalal Tole Parbatta,  
P.S- Ismailpur, Distt.- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      22-03-2024              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 5.250 litres liquor from a motorcycle.

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 motorcycle.  
It is next submitted that no prudent person would use his own  
vehicle for committing an occurrence and thus would get



implicated by creating evidence against himself. It is further submitted that the petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged.

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 Rajaon (Nawada O.P.) P.S. Case No. 565 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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