

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18374 of 2024

Arising Out of PS. Case No.-462 Year-2023 Thana- Excise P.S. District- Samastipur

Ram Aadhar Bhagat @ Ramadhar Bhagat Son of Late Ram Sohag Bhagat @
Late Ram Sohar Bhagat Resident of Village - Raipur, Police Station -
Warisnagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.

4. Allegation is of recovery of 900 ml. of liquor from
a motorcycle.

5. Learned counsel for the petitioner submits that
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 seized
motorcycle. It is further 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 next submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Samastipur Excise P.S. Case No. 462 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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