

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21167 of 2024

Arising Out of PS. Case No.-136 Year-2022 Thana- BIHIA District- Bhojpur

Mantu Kumar Son of Ram Chandar Pandit Resident of vill.-Awasan Tola,
P.S.-Jagdishpur, Distt.-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-03-2024 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 64 liters of liquor from a motorcycle and 35 liters of
liquor from Jai Prakash Yadav.

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 being owner of the
motorcycle came to be implicated. 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, Pankaj, would misuse the vehicle in the manner as alleged as he was also apprehended from the spot along with Kaushal.

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 Bihiya P.S. Case No. 136 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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