

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39779 of 2024

Arising Out of PS. Case No.-162 Year-2024 Thana- LAKHISARAI District- Lakhisarai

Manish Kumar S/o Ram Chandra Prasad Resident of village Naya Bazar
Dalpatti, PO and PS-Lakhisarai District-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bajarangi Lal, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2024 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 30(a) and 32(3) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. Allegation is of recovery of 27.375 litres of liquor from
a car and one 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 car. 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 driver 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.500/- (Rupees Five Hundred) 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 Lakhisarai P.S. Case No. 162 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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