

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41491 of 2023

Arising Out of PS. Case No.-687 Year-2022 Thana- KANTI District- Muzaffarpur

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JOGINDER S/O SAJJAN R/O VILLAGE - DEWRAD, PS. JULANA,
DISTT. JIND, HARYANA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 19-02-2024 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), 32(i),
32(ii), 36 and 41(i) of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of total recovery of 630 litres of liquor
out of which 405 litres of liquor is alleged to have been recovered
from the car of the petitioner.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. 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 from the place of occurrence Ashish Kumar, Aniket Kumar and Abhishek Kumar were arrested. It is also submitted that petitioner was completely unaware that his driver, Ashish Kumar in connivance with Aniket Kumar and Abhishek Kumar 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 Kanti P.S. Case No. 687 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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