

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48410 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- JAKKANPUR District- Patna

Gunjan Kumar @ Gunjan Son of Ram Bali Prasad Resident of Ram Lakhan
Mahto Flat, P.S.- Jakkanpur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-07-2024 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 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 18 liters of liquor from a motorcycle.
4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of
the seized motorcycle and he came to be implicated based on
the confessional statement of co-accused in police custody
which does not have any evidentiary value.
5. Learned A.P.P. for the State opposes the prayer for
anticipatory bail of the petitioner and submits that though it has



been submitted that the seized vehicle does not belong to the petitioner, but then there is no pleading to that effect in the anticipatory bail application.

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 Jakkanpur P.S. Case No. 160 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Trial Court before accepting the bail bonds of the petitioner shall verify the ownership of the seized vehicle and in the event if it is found that the same is registered in the name of the petitioner, in that event the present order shall not be given effect to.

(Satyavrat Verma, J)

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