

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50569 of 2023

Arising Out of PS. Case No.-189 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

RAM MUNI TIWARI @ RAM MANI TIWARI SON OF SUDHAKAR
TIWARI RESIDENT OF 3/1D SOUTH SEALDAH ROAD, P.S SEALDAH
DISTRICT KOLKATTA WEST BENGAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-02-2024 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Durgawati P.S. Case No.189/2023 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 217.08 litres of liquor from a car. It is next submitted 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 vehicle. 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 next submitted that the petitioner was completely unaware that his driver would misuse his vehicle in the manner as alleged.

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

5. 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 Special Judge Excise No.2-cum-Additional District Judge-VII, Kaimur at Bhabua, in connection with Durgawati P.S. Case No.189/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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