

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53068 of 2024**

Arising Out of PS. Case No.-75 Year-2022 Thana- GARHI District- Jamui

Pushpendra Kumar Roy SON OF VIRENDRA PRASAD ROY VILLAGE-  
SEWA, PS- GIDHOUR, DIST- JAMUI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      02-08-2024      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 and Sections 272 and 273 of the Indian Penal Code.
3.    Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 8.25 litres of liquor from a motorcycle.
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 he came to be implicated based on the fact that he is owner of the seized



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 further submitted that petitioner was completely unaware that Ganesh would misuse the vehicle in the manner as alleged, who was also apprehended from the spot.

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. 5,000/- (Rupees Five 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 Garhi P.S. Case No. 75 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is



found that the petitioner has antecedent of more than one case  
in that event the present anticipatory bail order shall not be  
given effect to.

**(Satyavrat Verma, J)**

SUMIT/-

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