

Arising Out of PS. Case No.-98 Year-2020 Thana- PANJWARA District- Banka

Md. Matiul Haque S/o Md. Ekramul Haque R/o Village Sutur Khana PS  
Muffasil Distt Munger

... .. Petitioner/s

Versus

## The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Chaudhary, Sr. Adv  
Mr.Raj Kumar  
For the Opposite Party/s : Ms.Sangeeta Sharma

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

2      08-08-2024              1.      Heard learned senior counsel for the petitioner, Shri  
Ashok Chaudhary 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(2) of the Bihar Excise Act.

**3.** Learned senior counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 50.625 litres of liquor form a car.

4. Learned senior 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 Daulat Kumar 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 senior 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 Panjwara P.S. Case No. 98 of 2020 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 even one case in that event the present anticipatory bail order shall not be given effect to.

**(Satyavrat Verma, J)**

SUMIT/-

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