

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61390 of 2024

Arising Out of PS. Case No.-227 Year-2022 Thana- DHAKA District- East Champaran

Md. Vojair Son of Md. Meraj @ Meraj Hafri Resident of Village - Ambakala
Sheikh Toli, P.S. - Piprahi, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-08-2024 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 offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act, 2016.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 27 litres of liquor from two motorcycles. 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 the petitioner is owner of one of
the seized motorcycles. 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 also submitted that the petitioner was completely



unaware that Aadil would misuse his vehicle in the manner as alleged who was also apprehended from the spot along with Murshad.

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 trial court where the case is pending/successor court in connection with Dhaka P.S. Case No.227/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. 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 petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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