

Arising Out of PS. Case No.-220 Year-2024 Thana- SARAIYA District- Muzaffarpur

Munna Kumar @ Munna Paswan S/o- Sri Rajan Paswan Village- Birpur PS-
Saraiya District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 **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 Sections 30(a), 32(2), 32(3), 36, 41(1) and 41(2) of the Bihar Excise Act and Sections 272, 273 and 34 of Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 1010.16 litres of liquor from a pickup vehicle.

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 Ajay would misuse the vehicle in the manner as alleged, who was also apprehended from the spot along with Rambabu.

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 Saraiya P.S. Case No. 220 of 2024, 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)

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