

Arising Out of PS. Case No.-195 Year-2023 Thana- WAJIRGANJ District- Gaya

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... .. Petitioner/S

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Md. Shakir Ahmad

3      19-02-2024                  1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of six litres of liquor from a car.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is also submitted that no prudent person would use his own vehicle for committing an occurrence and thus, would create evidence against himself. It is next submitted that petitioner, being owner



of the car, came to be implicated in a mechanical manner, when admittedly petitioner is a person with clean antecedent. It is further submitted that petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Gaya in connection with Wazirganj P. S. Case No.195 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

**(Satyavrat Verma, J)**

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