

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71960 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- PAKRIDAYAL District- East Champaran

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DHANANJAY KUMAR SON OF RAKAT BHAGAT RESIDENT OF
VILLAGE CHAILAHA, P.S. BANJARIYA, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273
and 34 of the Indian Penal Code and Section 30(a) of the Bihar
Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 44.28 litres of liquor from a *Bolero* 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 in a mechanical manner on the ground that he is



owner of the vehicle. It is next submitted that Rakesh had taken the vehicle in name of some work and was also apprehended from the spot as such petitioner was completely unaware that Rakesh would misuse the vehicle in the manner as alleged as no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against him.

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. 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 Pakadidyal P.S. Case No. 151 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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