

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18318 of 2019**

Arising Out of PS. Case No.-100 Year-2018 Thana- ASANWA District- Siwan

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Rakesh Kumar Singh @ Rakesh Singh, Son of Vijay Singh, Resident of
Village - Arkpur, P.S.- Asaon, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No.2, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 04-04-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection
with Asaon P.S. Case No. 100 of 2018 registered for the
offences punishable under Sections 272, 273 and 308 of the
Indian Penal Code and Section 30(A) of the Bihar Prohibition
and Excise Act, 2016.

As per the prosecution case, the allegation against the
petitioner is that he has indulged in selling of illicit liquor.

Learned counsel for the petitioner submits that no
illicit liquor has been recovered from the house of this petitioner
or from any other place belonging to this petitioner. Learned
counsel submits that the recovery has been made from bush near
bank of river. It is submitted that the petitioner has no criminal



antecedent.

Learned APP for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein the illicit liquor has not been recovered from the house of this petitioner or any other place belonging to this petitioner rather it has been recovered from bush and further that the petitioner has no criminal antecedent, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IIInd-cum-Special Judge (Excise) Siwan in connection with Asaon P.S. Case No. 100 of 2018, subject to the condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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