

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33551 of 2019

Arising Out of PS. Case No.-615 Year-2018 Thana- SIWAN CITY District- Siwan

RAKESH KUMAR S/o Ashok Kumar Rawat R/o village- Samhota Mathiya,
P.S.- Kopa, District- Saran at Chapra ... Petitioner

Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner : Mr.Anish Chandra, Advocate

For the Opposite Party : Pushpa Sinha.1, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 420/120B of the IPC and
section 52 of the Bihar Prohibition and Excise Act, 2016.

Petitioner and one Deeraj Kumar Singh, both
constables in the Excise Department, are alleged to have seized
386 cartoons of English liquor but they made entry of only 280
cartoons of liquor in the seizure list.

Learned counsel for the petitioner submits that the
petitioner is only a constable and used to drive the official
vehicles of the department and not in-charge of the Malkhana
and similarly situated co-accused Dheeraj Kumar Singh as well
as in-charge of the Malkhana have already been allowed
anticipatory bail by different benches of this Court vide orders



dated 12.3.2019 and 7.5.2019, passed in Cr.Mis.No. 14572/2019 and 10999/2019 respectively.

Considering the facts of the case, let the petitioner, above named, in the event of his arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II cum Special Judge Excise Act, Siwan in Siwan Town Police Station Case No. 615 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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