

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36622 of 2019

Arising Out of PS. Case No.-655 Year-2018 Thana- LAKHISARAI District- Lakhisarai

RAHUL KUMAR Son of Keshri Singh Resident of Village - Balgudar, P.S.
and District – Lakhisarai. Petitioner

Versus

THE STATE OF BIHAR Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-06-2019 Heard learned counsel for the petitioner. No one appears on behalf of the State to oppose this application.

The petitioner in the present case is seeking anticipatory bail in connection with Lakhisarai P.S. Case No. 655 of 2018 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30 (a)/32(b) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that on perusal of the first information report it will appear that the Sub-Inspector of Police has recorded his self statement and lodged the FIR. It is alleged that in course of raid in a *Gumti* one Keshri Singh was found sitting there, he was arrested and then he disclosed the name of this petitioner who had fled away from the *Gumti*. He had also disclosed that this petitioner is said to be his son.

Learned counsel for the petitioner submits that it is out and out a false implication of the petitioner who happens to be a student and otherwise busy in taking care of his career. It is



submitted that the petitioner has no criminal antecedent. Learned counsel submits that the allegation that this petitioner had fled away from the *Gumti* and his name was disclosed by his father is nothing but a story concocted by the informant himself who wanted to implicate this petitioner also.

Considering the facts and circumstances of the case wherein during course of raid only the father of this petitioner was found sitting there and it seems, however, unnatural that when the petitioner fled away his father will keep on sitting on the *Gumti*, the petitioner is not having any criminal history and in the given facts and circumstances and the kind of allegations, this Court is willing extend the benefit of anticipatory bail, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Lakhisarai P.S. Case No. 655 of 2018 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge (Excise), Lakhisarai, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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