

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41300 of 2019

Arising Out of PS. Case No.-404 Year-2018 Thana- SAKRA District- Muzaffarpur

RAKESH KUMAR SINGH S/o Nand Kishore Singh R/o Mohalla/Village-
Kanhauli Sarwati Vihar Colony, P.S.- Mithanpura, District- Muzaffarpur,
Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Sakra P.S. Case No. 404 of 2018
registered for offence punishable under sections 272, 273, 353, 307
of the Indian Penal Code, section 27 of the Arms Act and
sections 30 (a), 38 and 41 of the Bihar Prohibition and Excise
Act, 2018.

3868.2 litres of illegal liquor has been recovered
from different vehicles and the vehicle of the petitioner was
also found there.

The learned counsel for the petitioner submits that
no recovery has been made from the vehicle of petitioner and



the person, who has been apprehended, does not disclose the name of this petitioner, but during investigation, the name of this petitioner has transpired to be involved in that liquor. He further submits that the name of this petitioner has been tacked on account of having friendship with Ajay Jha @ Babua Don and his wife and on that account he has been made accused. The petitioner has criminal history.

Looking to the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders and prays for regular bail, the court below without being prejudiced by the order of this Court, will take decision in accordance with law.

(Shivaji Pandey, J)

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