

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1714 of 2020

Arising Out of PS. Case No.-365 Year-2019 Thana- MAHUA District- Vaishali

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Rahul Kumar Singh, Son of Mahesh Singh @ Mahesh Prasad Singh, Resident
of Village - Harpur Belwa, P.S.- Mahua, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mrs.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail
in connection with Mahua P.S. Case No.365 of 2019 registered
for the offences punishable under Section 414 of the Indian
Penal Code and Sections 30(a) and 37(d) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Learned counsel submits that no illicit liquor has been
recovered from the conscious possession of this petitioner.

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

Considering the facts and circumstances of the case



and the submission of learned counsel for the petitioner that the alleged illicit liquor has been recovered from the orchard of one Rajeshwar Singh Chauhan and not from the house of this petitioner, the petitioner is not having any criminal antecedent and though he has been said to be a person who fled away on seeing the police party, but the source of his identification is not disclosed and the petitioner has no concern with vehicles seized by the police, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Mahua P.S. Case No.365 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police



officer;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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