

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2075 of 2020

Arising Out of PS. Case No.-364 Year-2019 Thana- RIVILGANJ District- Saran

Rakesh Kumar Singh @ Rakesh Singh @ Bhim Singh, Son of Mukur Singh
Resident of Village - Nayaka Badka Baiju Tola, P.S.- Revilganj, Distt - Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Rivilganj P.S. Case No.364 of 2019, registered for the offence
punishable under Sections 419, 420/34 of the Indian Penal Code
and Section 30, 38, 41 of Bihar Prohibition and Excise Act.

The allegation against the petitioner as per First
Information Report is that the police on the basis of secret
information received from the local people proceeded towards
the place of occurrence near the bricklin of Saheb Singh in the
mango orchard of Munna Khan and upon seeing the police party
miscreants started to flee away and on chase being made, police
party apprehended one accused person and also recovered two
motorcycles along with ten litres of illicit liquor. The police
also recovered a cash of Rs.1,000/- from the pocket of the



arrested co-accused and it has been alleged that accused persons after consuming liquor were playing cards in the mango orchard.

Mr. Awadhesh Kumar Singh, learned counsel for the petitioner submits that petitioner has got no criminal antecedent and has falsely been implicated in this case on the basis of confessional statement made by arrested co-accused. Learned counsel further submits that the motorcycles from which the illicit liquor has been recovered does not belong to the petitioner. Learned counsel further submits that no illicit liquor has been recovered from his conscious possession or the vehicle belonging to him.

Having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the vehicle belonging to the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge-cum-Special Judge, Excise, Saran, in connection with in connection with Rivilganj P.S. Case No.364 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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