

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24760 of 2020

Arising Out of PS. Case No.-101 Year-2020 Thana- BAKHARI District- Begusarai

RINKESH KUMAR @ RIKESH KUMAR S/o Santosh Kunwar Resident of
Village, Ward No.2, P.S.-Bakhri, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mrs. Asha Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-12-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Bakhari P.S. Case No. 101 of 2020, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 24 and 48 bottles of IMFL was recovered from the two cartons beneath the staircase in the house of the petitioner.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place. He has been falsely implicated in the case. The alleged place of recovery is not under the exclusive lock and key of the petitioner and no member of the family is stated to be present at the time of



alleged raid. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the report received from the Superintendent of Police, Begusarai, wherein it has been stated that the petitioner has no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Bakhri P.S. Case No. 101 of 2020, he will be enlarged on 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 Additional Sessions Judge-cum-Special Judge, Excise Act, Begusarai subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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