

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30579 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- BARHARIA District- Siwan

RAKESH RAM @ RAKESH KUMAR RAM S/o Late Daroga Ram R/o
Village-Rohra Mahuwa Tola, P.S.-Barharia, Distt.-Siwan. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv.

Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 20-01-2021 Heard learned senior counsel for the petitioner and
learned APP for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Barharia P.S. Case No. 51 of 2020, registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated by the informant that on seeing the police personnel, some persons started to run. One accused namely, Suraj Kumar was arrested and disclosed the name of the other accused persons including the petitioner herein, who had managed to escaped. It is further stated that from a pick-up van, a total of 1235.520 litres of IMFL was recovered.

It is submitted by learned counsel for the petitioner that he has no concern either with the pick-up van from which



the alleged recovery is stated to have taken place or with the seized articles. Besides the name of the petitioner transpiring in the statement of co-acused made before the police, there is no other material against him. He 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 facts and circumstances of the case including the petitioner not having any 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 six weeks from today and in the event of his arrest or surrender in connection with Barhariya P.S. Case no. 51 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judged 2nd-cum-Special Judge Excise, Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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