

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36760 of 2020

Arising Out of PS. Case No.-42 Year-2017 Thana- GORAUL District- Vaishali

RAJEEV KUMAR SON OF RAMJANAM SHARMA RESIDENT OF
VILLAGE/MOHALLA - HATHSARGANJ WARD NO. 3, POLICE
STATION - HAJIPUR TOWN IN THE DISTRICT OF VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Braj Nandan Kumar Tiwary
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 28-10-2021 Heard Sri Yogesh Chandra Verma, learned senior
counsel for the petitioner assisted by Sri Braj Nandan Kumar
Tiwary and learned APP for the State.

Petitioner seeks anticipatory bail in Goraul P.S. Case
no. 42 of 2017 registered for the offence punishable under
sections 30(a), 32(ii), 38 and 41(1) of Bihar Prohibition and
Excise Act, 2016.

Learned senior counsel for the petitioner at the outset
submits that petitioner is person with clean antecedent and from
perusal of the allegation as alleged in the FIR, it would manifest
that petitioner is not named in the FIR. His name has come
based on confessional statement of one Rajiv Kumar. Learned
senior counsel for the petitioner further submits that petitioner is



alleged to be owner of pick-up van bearing registration no. BR-31G-3522 from which liquor was recovered.

Learned APP opposes the prayer for anticipatory bail.

Considering the facts in its totality that petitioner is not named in the FIR and his name has transpired based on confessional statement of one Rajiv Kumar who was apprehended at the spot, in the event of arrest/surrender within ten weeks from today, the petitioner is directed to be released on anticipatory bail on furnishing bail bonds of Rs 5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge II-cum- Special Judge, Excise, Vaishali at Hajipur in Goraul P.S. Case no. 42 of 2017 subject to the condition under section 438(2) Cr.P.C.

(Satyavrat Verma, J)

s.hassan/-

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