

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11036 of 2022**

Arising Out of PS. Case No.-247 Year-2021 Thana- SARAI District- Vaishali

Rajesh Kumar @ Rajesh Kumar Sah, Son Of Harendra Sah R/V Village-
Manjhauli Mohamdpur Bujurg, P.S.- Sarai, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Ms. Rita Verma

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272,
273 and 34 of the Indian Penal Code and Section 30(a) of the
Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 400.68 litre of liquor from the house of co-
accused Bablu Kumar and also from a house situated near the
water.

The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. He
was not apprehended from the spot, as such, nothing was
recovered from their conscious possession. It is next submitted
that the allegation of recovery is from the house of Bablu



Kumar and from one other house. It is also submitted that the name of the petitioner transpired in the confessional statement of co-accused Muskan Devi and Sikandar Mahto, which has no evidentiary value.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a man of clean antecedent, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 3,000/- (Rupees Three Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sarai P. S. Case No.247 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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