

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26678 of 2022

Arising Out of PS. Case No.-680 Year-2021 Thana- FATUA District- Patna

Rupesh Kumar Son Of Ramashish Sah R/O- Village- Belka, Amritpur, P.S.-
Vaishali, District- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-10-2022 Heard learned counsel for the petitioner
and learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under
Sections 272, 273 of the Indian Penal Code and
Sections 30(a), 33, 34, 36, 56C of the Bihar
Prohibition & Excise Act.

It is a case of recovery of 1750 liters of
raw sprit from a Hyva Truck and from Alto Maruti
Car. Six persons were apprehended from the spot
who named the co-accused and petitioner as their
associates.

It is submitted by learned counsel for the



petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner and except confessional statement of co-accused, no any cogent material was found against the petitioner. The petitioner has no concern either with the seized sprit or with the vehicles.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna City, District Patna in connection with Fatuha P.S. Case No. 680 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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