

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38520 of 2022

Arising Out of PS. Case No.-43 Year-2022 Thana- MOKAMA RAIL P.S. District- Patna

Raju Kumar Rana Son Of Late Maan Bahadur Singh Resident Of Village - Bastipur, P.S.- Dihri, Indrapuri, Distt.- Rohtas, At Present Police Sub-Inspector, Rail, P.P., Hathidah.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Babu

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-12-2022 Heard learned counsel for the petitioner and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Mokama (Hathidah) P.S. Case no. 43 of 2022 instituted for the offence under Section 409 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioner is to keep the seized articles of illicit liquor, Mobile phone and a ladies purse in Malkhana without entering into the record.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. It is further



submitted that after sized the said articles, the petitioner felt unusual and went into a room in the thana premises for taking medicine and rest thinking to lodge case after sometime but meanwhile got information on telephone the Dy.SP (East) has come and informed his superior Dy. SP about the circumstances of his illness and to record thereafter in MR. Thereafter the Dy. SP (East) issued a show cause and After that the petitioner immediately filed reply to the show cause in memo no. 168 of 2022 and explained the entire situation as to how he has not made any negligence and because of ill health there was delay of 30-40 minutes when Dy. SP (East) reached in thana Premises for inspection. It is further submitted that petitioner is totally innocent as fairly informed to his superior as to how only delay of 30-40 minutes occurred because of his ill health otherwise there was no bad intention on the part of the petitioner to conceal the seized liquor bottles.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



four weeks from today and in the event of his arrest or surrender in connection with Mokama (Hathidah) P.S. Case no. 43 of 2022, 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 Special Judge (Excise), Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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