

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51297 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- HATHAURI District- Muzaffarpur

Rakesh Kumar @ Rakesh Ray @ Rakesh Kumar Yadav Son Of Late Ram
Nihora Ray Resident Of Village - Param Jivar, Police Station- Hathauri,
District - Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 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 30(a),
41(i)(ii) of the Bihar Prohibition & Excise Act.

Allegedly, it is a case of recovery of illicit liquor
from an ambulance.

It is submitted by learned counsel for the petitioner
that the petitioner has falsely been implicated in this case. He
further submits that he has no concern with the seized liquor
and no incriminating article has been recovered from the
conscious possession of the petitioner and petitioner has not
been apprehended at the spot. He further submits that similarly



situated co-accused person has been granted anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 35076 of 2022.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, 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 thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.I, Muzaffarpur in connection with Hathauri P.S. Case No. 141 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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