

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53997 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

Rinku Rathi @ Rinku Chaudhary Son of Sri Chaudhary Gajendra Singh @
Gajendra Singh R/o Village - Saidpur, P.S.- Bhojpur, District - Gaziabad
Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 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 Durgawati P.S. Case no. 118 of 2022 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of total 3092
liters illicit liquor from a DCM Truck which registered owner is
this petitioner.

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. Petitioner has no



concern with the alleged recovery of illicit liquor and he was not present at the time of occurrence. It is further submitted vide para 6 of the petition that the petitioner has already sold his vehicle to one Shri Bhagwan on 18.08.2021 which is annexed as Annexure 2. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 60,000/- (Sixty Thousand) in the District Legal Services Authority of concerned District.

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 Durgawati P.S. Case no. 118 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 Additional Sessions Judge-VII, Kaimur at Bhabua subject to the conditions as laid down under



section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 60,000/- (Rs. Sixty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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