

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54309 of 2022**

Arising Out of PS. Case No.-217 Year-2021 Thana- CHAKAI District- Jamui

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LOKNATH RAJAK @ SANJEEV KUMAR @ SHREE JEE Son of Bhushan  
Dhobi Resident of Village - Kewal, P.S.- Barhi, Daurwas, District -  
Hazaribagh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar, Senior Advocate  
For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

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

2      18-10-2022                      Heard Senior learned counsel for the petitioner and  
  
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered  
for the offences punishable under Sections 272 and 273 of the  
Indian Penal Code and Sections 30(A)(F), 32(2), 32(3), 36, 41(1)  
and 41(2) of the Bihar Excise Act.

Learned Senior counsel for the petitioner submits that  
the petitioner has antecedent of one case as would be evident from  
the supplementary affidavit filed today which is taken on record, it  
is next submitted that allegation is of recovery of 2720 liters of  
spirit from a truck and 50 liters of spirit from a Bolero vehicle.

Learned Senior counsel for the petitioner submits that  
the petitioner was not apprehended from the spot as such nothing  
was recovered from his conscious possession, it is next submitted  
that petitioner is neither the owner nor the driver of the alleged



vehicle and came to be instituted based on confessional statement of Mahendra Paswan, the driver of the truck, who was known to the petitioner and thus was having his mobile number. Learned Senior counsel submits that police in mechanical manner implicated the petitioner merely because the driver of the truck was having the mobile number of the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chakai P.S. Case No. 217 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

GauravSinha/-

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