

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58957 of 2022

Arising Out of PS. Case No.-374 Year-2021 Thana- WARISLIGANJ District- Nawada

RAHUL KUMAR S/O SHAILENDRA SINGH @ SHAILENDRA KUMAR
R/O VILLAGE- MAFI, P.S.- WARISALIGANJ, DISTRICT- NAWADA.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a)/41 of the Bihar Prohibition and Excise Act.

2848.75 litres of foreign liquor has been recovered from a truck.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. The petitioner has got no manner of concern with the seized truck or



wine. It is also submitted that similarly situated other co-accused persons have already been granted anticipatory bail by this Court as also by different co-ordinate Benches of this Court.

Petitioner is agree to deposit a sum of Rs. 1,50,000/- (rupees one lakh fifty thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the facts aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-2, Nawada in connection with Warisaliganj P.S. Case No.374 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the petitioner, preferably, father, mother, brother, sister and/or his



wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

Sanjay/-

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