

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67420 of 2022

Arising Out of PS. Case No.-288 Year-2022 Thana- RAHUI District- Nalanda

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Amarjeet @ Rahul @ Makaiya @ Amarjeet Kumar Son of Uday Rai @ Uday
Yadav Resident of Village- Maujipur, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 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 Rahui (Wena) P.S. Case no. 288 of

2022 instituted for the offence under Sections 30(a),

32(i)(ii), 36, 41(i)(ii) of the Bihar Prohibition and Excise

Act, 2016.

Prosecution case relates to recovery of 275.25

litres of IMFL from truck bearing registration No. BR-

01GA-9444. Two persons were apprehended from the

spot who disclosed their name as Anil Kumar & Neeraj



Kumar.

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. He has no concern either with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has no evidentiary value in the eye of law. It is also submitted that vehicle belongs to the brother of the petitioner, namely, Manjeet Kumar. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of 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 Rahui (Wena) P.S. Case no. 288 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 4th Additional District and Sessions Judge-cum-Special Judge, Excise-II, Nalanda subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

nirajkrs/-

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