

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70303 of 2022

Arising Out of PS. Case No.-437 Year-2021 Thana- MAHUA District- Vaishali

RAHUL SINGH @ RAHUL KUMAR SINGH SON OF RATNESH SINGH
@ RATNESH KUMAR SINGH R/O VILLAGE- NIJHAMA, P.S.- MAHUA,
DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 Heard 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 30(a), 32(ii), 38(ii),
34(ii) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that
petitioner has antecedent of six cases and allegation is of recovery
of 3584.160 liters of liquor from a truck.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession, it is next submitted that
he came to be implicated based on confessional statement of
Sanjay Kumar in police custody which does not have any
evidentiary value. It is also submitted that petitioner is neither the
owner nor the driver of the truck and it is next submitted that



petitioner because of his antecedent was implicated by the police with the aid of Sanjay Kumar.

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. 25,000/- (Rupees Twenty Five 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 Mahua P.S. Case No. 437 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned Trial Court before accepting the bail bonds shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than 6 cases then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

