

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15361 of 2023

Arising Out of PS. Case No.-159 Year-2022 Thana- MUSRIGHRARI District- Samastipur

Rakesh Kumar @ Rakesh Kumar Mishra Son of Sanjeev Mishra @ Sanjiv Kumar Mishra @ Wakil Mishra Resident of village - Nirpur, P.S.- Samastipur Muffasil, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that a video became viral in which one person was selling liquor taking out from his waist. After checking of the video, it found that the petitioner was selling liquor taking out from his waist.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this



case. The name of the petitioner has transpired in this case on the basis of video, which became viral on the social media. As per the said video, it is alleged that the petitioner was selling liquor. The genuineness of the video has not yet been proved. No F.S.L. report is there to show that the said video is genuine video. There is no recovery of any liquor in the present case.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Musarigharari P.S. case No.159 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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