

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30064 of 2023

Arising Out of PS. Case No.-206 Year-2022 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

=====

RAKESH KUMAR SON OF DEO NARAYAN RAY R/O CHAITHA
UTTARI, WARD NO. 10, P.S. AND P.O.- ANGARGHAT, DISTRICT-
SAMASTIPUR, STATE- BIHAR-848132

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Narayan, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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 Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 14 bottles of liquor of 750 ml recovered from
Platform No. 2 of Samsatipur Junction.

Learned 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 even the alleged recovery is from a place which



is accessible to public at large and petitioner being authorized distributor of bed roll in the train got implicated merely based on suspicion, when admittedly there is nothing in the investigation which could even remotely connect the petitioner with the offence.

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) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Samastipur Rail P.S. Case No. 206 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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

