

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31954 of 2023

Arising Out of PS. Case No.-785 Year-2022 Thana- MAHUA District- Vaishali

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Rahul Kumar @ Rahul Kumar Singh Son of Ratnesh Singh @ Ratnesh Kumar Singh Resident of village-Madhapur Nizma, Police Station-Mahua, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 Sections 30(a), 32(i)(ii), 32(3) and 41(i) of the Bihar Excise Act and Sections 272, 273, 414 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of eight cases and allegation is of recovery of 164.250 litres of liquor from a Bolero pickup vehicle.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he is not the



owner of the pickup vehicle, it is also submitted that the petitioner came to be implicated by the police because of his antecedents and hence in order to implicate him, the police alleged that on secret information the name of the petitioner transpired, which is the easiest way to implicate someone.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 40,000/- (Rupees Forty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mahua P.S. Case No. 785 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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