

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38936 of 2023

Arising Out of PS. Case No.-489 Year-2022 Thana- RAHUI District- Nalanda

PAWAN KUMAR @ PAWAN SINGH Son of Shyamsundar Singh Resident
of Sihodih, P.O. - Sirsiya, P.S. - M. Giridih, Distt. - Giridih, Jharkhand, Pin
Code - 815301

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Rahui PS Case No. 489 of 2022 dated 12.09.2022 registered under Section 420, 467, 468, 471, 120 B of the IPC and Section 30 (a) / 32 (ii)(iii) / 36 / 41 (i)(ii) of the Bihar Prohibition and Excise Amendment Act 2018.

3. As per the First Information Report, Police intercepted a Mahindra Pick UP van having registration no. JH10BK-3468 and recovered a total quantity of 661.680 liters of illicit English liquor from the said vehicle and arrested two persons, who disclosed that the petitioner and



others are also involved in the trade of illicit liquor.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of disclosure of his name along with the mobile no. by the arrested accused persons. He further submits that no illicit liquor has been recovered from the conscious possession and / or vehicle belonging to the petitioner. The Mahindra Pick- Up Van from where the illicit liquor in question has been recovered does not belong to the petitioner.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and / or vehicle belonging to him and his name has transpired on the basis of disclosure made by the arrested co-accused, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten



thousand) with two sureties of the like amount each to the satisfaction of 4th Additional District & Sessions Judge cum Special Judge Excise II, Nalanda in connection with Rahui PS Case No. 489 / 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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