

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52420 of 2023

Arising Out of PS. Case No.-383 Year-2023 Thana- MAHUA District- Vaishali

RAHUL KUMAR @ RAHUL KUMAR SINGH SON OF RATNESH SINGH
@ RATNESH KUMAR SINGH R/O-MADHOPUR NIZMA, P.S.-MAHUA,
DISTT.-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 : Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273, 420, 467, 120(b)/34 of the Indian Penal Code and Sections 30(a), 32(ii)(iii), 36 and 41(i)(ii) of the Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of eleven cases.
4. Allegation is of recovery of 2505.6 litres of liquor from a truck.
5. 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 further submitted that petitioner came to be implicated at the instance of the Chawkidar with whom he is on an inimical term. It is next submitted that it



appears that the Chawkidar in order to save the real culprits falsely implicated the petitioner. It is also submitted that petitioner is not the owner of the seized truck. It is further submitted that from perusal of the antecedent of the petitioner, it would manifest that petitioner like in the present case has been falsely implicated in the cases which are recorded at para 3 of the anticipatory bail application.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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.50,000/- (Rupees Fifty 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. 383 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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

