

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58711 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- RAJNAGAR District- Madhubani

Ram Krishna Choudhary @ Sonu Kamat S/O Rajendra Kamat Resident of
Village- Bakuar, P.S- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rajnagar P.S. Case No. 383 of 2022 instituted under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) and 41 (1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 3770.94 liters of liquor was recovered from the truck which was standing near Mango Orchard. Upon raid, three persons have been arrested and it is alleged that the petitioner fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is not the owner nor the driver of the said



vehicle and only on the confessional statement of co-accused his name has been implicated in this case. There is no material against the petitioner and there is no recovery from the conscious possession of the petitioner. The petitioner has no criminal antecedent.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge – II – cum – Special Judge, Excise Act, Madhubani in connection with Rajnagar P.S. Case No. 383 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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