

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64706 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- GANGABRIDGE District- Vaishali

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Rajeev Kumar, aged about 34 years, Male, S/O Kailash Singh @ Bhuttu Singh, R/O Village- Sahdullahpur, P.S- Ganga Bridge, Distt.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nidhi Anand, Advocate

For the Opposite Party : Mr. Syed Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Ganga Bridge P.S. Case No. 147 of 2023 dated 10.07.2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

4. As per the prosecution case, total 324.750 litres of



country made liquor was recovered near the house of the petitioner.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the alleged recovery of liquor was not made from possession of the petitioner. There is no ocular evidence as well as direct evidence about complicity of the petitioner in the present case. The petitioner has been made accused in the present case due to his criminal antecedent. The petitioner has six criminal antecedents and in all cases, he is on bail as stated in paragraph no. 3 of the bail application.

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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Ganga Bride P.S. Case No. 147 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further



condition:-

(i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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