

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64399 of 2023

Arising Out of PS. Case No.-491 Year-2023 Thana- DAUDNAGAR District- Aurangabad

Rajesh Kumar S/O Satyanarayan Prasad R/O Village- Nasariganj, Ward No.-
6, P.S- Nasariganj, Distt.- Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Daudnagar P.S. Case No. 491 of 2023 dated 17.08.2023, instituted for the offence punishable under Section 30(C) of Bihar Excise (Amendment Act) 2016 and Section 3 of Bihar Excise (Mahua Flower) Rules, 2006.

3. Allegation is recovery of 80 kg *Mahua* Flower from Hero Splendor Plus motorcycle bearing Registration No. BR24AF4643.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the owner of the said motorcycle and the said *Mahua* flower was allegedly seized



from his motorcycle. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Since 80 kg *Mahua* Flower has been recovered from the motorcycle of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Khatim Reza, J)

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