

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73579 of 2023

Arising Out of PS. Case No.-310 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Rishi Kumar @ Raj Kapoor Kumar @ Rishi Rai Son Of Ramdeo Rai
Resident Of Village Bahrapur Ps Baikunthpur Dist Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate
For the Opposite Party/s : Mr.Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Baikunthpur P.S. Case No. 310 of 2023 dated 01.09.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 2000 litres of spirit was recovered from the pick-up-van.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner was disclosed by local *chowkidar*. Nothing has been recovered from the possession of the petitioner and the petitioner has no concern with the alleged



recovery. It is further submitted that the said vehicle does not belong to the petitioner. The petitioner has two criminal antecedent and he is on bail in both cases as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. 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 bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gopalganj in connection with Baikunthpur P.S. Case No. 310 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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