

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6957 of 2024

Arising Out of PS. Case No.-260 Year-2023 Thana- MOKAMAH District- Patna

RAJESH KUMAR S/O SRI SHASHI SINGH R/O VILLAGE-
SAHBEGPUR, P.S- MOKAMA, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Manglam
For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mokama P.S. Case No.260/2023 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 10.650 litres of liquor from a motorcycle. It is next
submitted that the petitioner was not arrested from the spot as
such nothing was recovered from his conscious possession and
he came to be implicated based on the fact that he is owner of
the motorcycle. It is next submitted that no prudent person
would use his own vehicle for committing an occurrence and



thus would create evidence against himself. It is thus submitted that the petitioner was completely unaware that his friend would misuse his vehicle in the manner as alleged.

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

5. 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.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, Barh, Patna in connection with Mokama P.S. Case No.260/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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