

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5333 of 2024

Arising Out of PS. Case No.-715 Year-2023 Thana- SARAIYA District- Muzaffarpur

RAKESH RANJAN SON OF BIRENDRA PRASAD Resident of Village -
Gudmor, Near Railway Fatak, Ligyanrn Nagar, Jhaunjhun, Rajasthan, At
present residing at B-6, Flat No.3, Lane No.2, Saidulajab, South Delhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Thakur

For the Opposite Party/s : Ms.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273
and 34 of the IPC and Sections 30(a), 32(ii), 32(iii), 36 and 41
of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a transporter
and allegation is of recovery of 88.5 litres of liquor from the
truck and the petitioner, being the owner of the truck, came to be
implicated. It is next submitted that the petitioner was not
arrested from the spot as such nothing was recovered from his
conscious possession. It is also submitted that no prudent



businessman would bring disrepute to his business by getting involved in such offence. It is also submitted that alleged recovery is a trivial amount for which the petitioner would not bring disrepute to his entire business. It is next submitted the police mechanically implicated the petitioner as he is owner of the truck.

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 trial court 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 trial court where the case is pending/successor court in connection with Saraiya (Jaitpur OP) P.S. Case No. 715 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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