

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18315 of 2024

Arising Out of PS. Case No.-131 Year-2018 Thana- NOKHA District- Rohtas

Raju Kumar Son of Keshri Lal Gupta @ Keshri Lal Sah Resident of Village-
Mukhia Lodge, Tenduni Bikramganj, PS-Bikramganj, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 414 of the IPC and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 542.88 liters of liquor from a Bolero Pickup
vehicle, a Honda Shine motorcycle, Passion Pro motorcycle and
one Bajaj Platina vehicle.

4. It is next submitted that 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 alleged seized Bolero Pickup vehicle. It is



next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that driver of the vehicle would misuse the vehicle in the manner as alleged.

5. The learned APP for the State opposes the anticipatory bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2-cum-Additional District and Sessions Judge, Rohtas at Sasaram in connection with Nokha P.S. Case No.131 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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