

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35461 of 2024

Arising Out of PS. Case No.-255 Year-2023 Thana- ISUAPUR District- Saran

Rajan Singh @ Nepali S/o Sushil Singh R/o vill - Terha, P.S. - Isuapur, Distt. -
saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in Isuapur P.S.
Case No. 255 of 2023, instituted for the offences punishable
under Sections 272 and 273 of the Indian Penal Code, Sections
30(a), 38 and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 435 liters
spirit was recovered from pick-up van.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern
with the alleged recovery of spirit. It is further submitted that



petitioner is neither owner nor driver of the seized vehicle. The petitioner has got antecedent of one criminal case. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and charge sheet being submitted, this Court is inclined to grant anticipatory bail to the petitioner.

8. Let the petitioner, above named in the event of arrest/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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Isuapur P.S. Case No. 255 of 2023 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure

(Rudra Prakash Mishra, J)

Prakash/-

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