

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32541 of 2024

Arising Out of PS. Case No.-80 Year-2021 Thana- ARER District- Madhubani

Bharat Kumar Son of Rajindra Ray R/O Vill.- Rahika Godiya Tol, P.S.-
Rahika, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Prakash
		Mr. Gagan Deo Yadav
		Mr. Rajesh Kumar
For the Opposite Party/s :		Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Arer P.S. Case No. 80 of 2021 registered for the offences punishable under Sections 272, 273, 414 of the IPC and Section 30 (a) of the Bihar Prohibition and Excise (Amendment)Act, 2018.

3. As per prosecution case, there is alleged recovery of 33.3 litre country made liquor from the motorcycle in question and co-accused Rakesh Kumar Yadav apprehended on the spot.

4. Learned counsel for the petitioner submits



that petitioner is not named in the FIR and his name has been transpired in the present case as owner of the motorcycle in question. He further submits that petitioner is innocent and has committed no offence as alleged in the FIR. Petitioner bears no criminal antecedent. He further submits that petitioner is not in any way connected with the alleged occurrence. Petitioner has no concern with the alleged recovered liquor. Learned counsel for the petitioner has mentioned in para 11 of the bail petition that his motorcycle was taken away by co-accused Rakesh Kumar. Learned counsel further submits that the said co-accused has misused the motorcycle for carrying the illicit liquor.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Arer P.S. Case No. 80 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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