

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35691 of 2024

Arising Out of PS. Case No.-7 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

Rajnikant Kumar Son Of Shivaji Parasad Resident Of Village - Shankarpur,
Police Station - Baikunthpur, District – Gopalganj.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-06-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No. 07 of 2022, registered on 06.01.2022 for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, police received secret information about two accused Mantu Kumar and Sahjad Rai dealing in illicit liquor along with their associates. A raid was conducted and four persons on two motorcycles fled away from the spot throwing away a plastic sack. From the plastic sack, recovery of 17.280 liters of India made foreign liquor was made. The local people disclosed the name of this petitioner along with



other co-accused persons who fled away from the spot and this fact was corroborated by the local *chowkidar* that these persons has been involved in the business of liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on saying of unknown persons. Nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner has never been involved in any such occurrence and he is a man of clean antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and his name came up only on saying of unknown persons, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.D.J. II-cum-Special Judge Excise Court I, Gopalganj/concerned court in connection with Baikunthpur P.S. Case No. 07 of 2022,



subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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