

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35836 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- BALIGAON District- Vaishali

Mukesh Kumar son of Hareram Ray Village- Basti Khoajpur, Ps- Baligaon
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Shaheen Begum

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

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Baligaon P.S. Case No. 15 of 2024 instituted for the offences under Sections 467, 468, 471, 414, 120B of the Indian Penal Code and Sections 30(a), 32(ii), 41(i) and 36 of the Bihar Prohibition and Excise Act.

3. Prosecution allegation, in short, is of recovery of 6633 liters of liquor from a truck, three pickup vans and one motorcycle as detailed in the FIR.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. No incriminating article has been



recovered from the conscious possession of the petitioner. The petitioner has no knowledge regarding the alleged occurrence. Petitioner has no concern either with the seized vehicles or with the liquor in question. It is next submitted that the petitioner has got no criminal antecedent. The provision of Section 100 of the Cr.P.C. has not been followed in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Baligaon P.S. Case No. 15 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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