

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35353 of 2024

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

Prem Kumar Son of Rajesh Kumar Ray Resident of Village- Harpur, P.S-
Pusa, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shaheen Begum, 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 connection
with Baligaon P.S. Case No. 15 of 2024 registered for the
offences punishable under Sections 467, 468, 471, 414, 120(b)
of the Indian Penal Code as well as Sections 30(a), 32(ii), 41(i)
and 36 of the Bihar Prohibition and Excise Act.

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

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner was not arrested from the spot, as



such, nothing was recovered from his conscious possession and is neither the owner of any of the seized vehicles nor has any connection with the seized liquor and he has been implicated on secret information which is the easiest way to implicate someone. The petitioner has got clean antecedent. There is no compliance of Section 100 of Cr.P.C.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 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 the learned court below where the case is pending/successor 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 Cr.P.C.

(Rudra Prakash Mishra, J)

Prakash/-

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