

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39266 of 2024**

Arising Out of PS. Case No.-19 Year-2024 Thana- Excise P.S. District- Rohtas

Rakesh Kumar son of Satya Narayan Yadav Village- Sikariya, PS-Bikramganj
, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Excise Case No. 136 of 2024 arising out of Bikramganj Excise
P.S. Case No. 19 of 2024 dated 16.02.2024, instituted for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Amendment Act, 2018.

3. The allegation is of recovery of 155.520 litres of
illicit foreign liquor of different brands from the Mahendra
Bolero bearing Reg. No. JH05V7093.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that the name of the petitioner came in this
case on the basis of secret information. On perusal of F.I.R. and



seizure list, it appears that 155.520 litres of foreign liquor has been recovered from the seized vehicle. The petitioner is neither the owner nor the driver of the said vehicle. He has no concern with the seized vehicle. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Excise Case No. 136 of 2024 arising out of Bikramganj Excise P.S. Case No. 19 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No. 1, Rohtas at Sasaram, subject to condition as laid down under Section 438(2) of the Cr.P.C.,

(Khatim Reza, J)

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