

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42812 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- CHAUTHAM District- Khagaria

Rajeev Kumar Sah @ Rajeev Gupta S/o Sukhdev Sah @ Sukhdev Gupta R/o
Ward No. 5, Gram-Pipra, P.O .-Keshav Nagar, P.S.- Chautham, Pipra,
Khagaria ,Bihar 851201.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Vikram, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Chautham P.S. Case No.49 of 2024 instituted under Section
30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of
6.75 litre English liquor from the possession of co-accused
Subhash Yadav who has disclosed the name of petitioner that
the petitioner is also involved in the sell and purchase of illicit
liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that petitioner has no concern with the
co-accused or the recovered liquor. Learned counsel submits
that petitioner has one criminal antecedent and after filing of



present F.I.R., he has been made accused in another F.I.R. also on the basis of suspicion. He further submits that except the confessional statement of co-accused, there is no material against the petitioner and he was not present at the spot. He also submits that petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional District & Sessions Judge-2nd-cum-Exclusive Special Excise Court-1st, Khagaria in connection with Chautham P.S. Case No.49 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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