

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42858 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- RASULPUR District- Saran

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Rajnish Thakur @ Rajnish Kumar Thakur Son Of Nagendra Kumar Thakur @
Nagendra Thakur Village- Rasulpur, Ps- Rasulpur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-07-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 171 litres of liquor from three motorcycles as detailed in
the F.I.R. It is next submitted that petitioner was not arrested from
the spot as such nothing was recovered from his conscious
possession and he came to be implicated based on the fact that one of
the seized vehicles is in the name of his father. It is next submitted
that no prudent person would use his own vehicle for committing an
occurrence and thus would create evidence against himself and hence
would get implicated. It is thus submitted that the petitioner was



completely unaware that his friend would misuse his vehicle in the manner as alleged.

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

5. 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.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rasulpur P.S. Case No.64/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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