

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42335 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- ISMAILPUR District- Bhagalpur

Rajiv Kumar @ Rajeev Kumar Yadav Son of Uchit Lal Yadav R/O Vill.-
Bamdev Dhauni, P.S.- Rajoun, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Ismilepur P.S. Case No. 18 of 2024 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 194.625 litres of Indian made Foreign liquor was recovered from Scorpio vehicle.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case due to high handedness of the police. No incriminating article has been recovered from the conscious



possession of the petitioner. Petitioner is only owner of the vehicle and was unaware of the fact that his vehicle was loaded with illicit liquor. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

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

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months 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 Court below/concerned Court in connection with Ismilepur P.S. Case No. 18 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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