

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42548 of 2024**

Arising Out of PS. Case No.-112 Year-2024 Thana- KARAKAT District- Rohtas

Ritesh Kumar S/O Sitaram Sah R/O Village- Duari, P.S.- Karakat, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Singh
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner is apprehending his arrest in connection with Karakat P.S. Case No. 112 of 2024, registered for the alleged offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

03. As per prosecution case, a motorcycle rider started to flee away on seeing the police party leaving behind his motorcycle and a yellow colour sack. The assembled villagers has identified the person, who fled away from the spot, as the petitioner and on search of the motorcycle and the sack, recovery of 10 liters of country made *mahua* liquor was made.

04. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern either with the seized liquor or the motorcycle. Nothing incriminating has been recovered from the person or possession of the petitioner. The petitioner has got no criminal history.

05. Learned APP for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the absence of material to make out a *prima facie* case against the petitioner and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. 1, Rohtas at Sasaram/court concerned in connection with Karakat P.S. Case No. 112 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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