

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45976 of 2024

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

Rakesh Sah @ Rakesh Kumar Sah, S/O- Kashinath Sah Resident of Village-
Rasulpur, P.S. - Rasulpur, Distt. - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Vilochan Tiwary

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-07-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Section 30(a)
of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of four cases and the allegation is of
recovery of 171 litres of liquor from three different motorcycles.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner of
any of the seized motorcycle and he came to be implicated at the
instance of Chaukidar with whom he is on an inimical term. It is
next submitted that police in majority of cases implicating



innocent persons either at the behest of Chaukidar or local person, which cast an aspersion of the case of the prosecution as implication appears to be mechanical.

5. Learned A.P.P. opposes the bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-2, Saran at Chapra in connection with Rasulpur P. S. Case No.64 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than four cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

