

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45340 of 2024

Arising Out of PS. Case No.-139 Year-2024 Thana- RUPASPUR District- Patna

Rakesh Kumar Singh S/o Shiv Kumar Singh R/o Village 2 B, Magistrate Colony, Ashiyana Nagar PS Rupaspur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rupaspur P.S. Case No.139 of 2024 instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the co-accused Aniket Kumar was arrested with the seized scooty from which 30 litres of illicit liquor was recovered. The allegation against the petitioner is that he is the registered owner of the seized scooty.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner had given the scooty to the co-accused, who took the same on the pretext of some urgent work. Petitioner has no concern with the seized liquor. Petitioner has no criminal



antecedent and he undertakes to cooperate in the investigation and the 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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, Patna in connection with Rupaspur P.S. Case No.139 of 2024, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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