

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46899 of 2024

Arising Out of PS. Case No.-68 Year-2023 Thana- MADHWAPUR District- Madhubani

Rajan Kumar S/O Vinod Mishra Resident of Village-Chaknuran, P.S.-
Bochahan, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar, Adv.

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Madhwapur P.S. Case No. 68 of 2023 dated 15.07.2023 registered for the offence punishable under Sections 272, 273, 414, 120B/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 333 litres of illicit liquor was recovered from the car. On enquiry, police learnt that the accused persons named in the F.I.R. are engaged in the delivery of the liquor at Saharghat.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in this case only because he is the owner of the said vehicle but the said vehicle is not being driven by the petitioner at the



time of the alleged recovery. No incriminating article has been recovered from the conscious possession of the petitioner. No case is made out against the petitioner. The co-accused person has already been granted anticipatory bail by this court vide order dated 30.11.2023 passed in Cr. Misc. No. 74092. It is further submitted that the petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Madhwapur P.S. Case No. 68 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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