

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48147 of 2024

Arising Out of PS. Case No.-36 Year-2023 Thana- Excise P.S. District- Rohtas

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Rajan Kumar @ Rajana Kumar Son of Mahangu Gond R/O Vill.- Kadirganj,
P.s.- Sasaram, Dariagaon, Dist.- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Kant, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Excise P.S. Case No. 74 of 2023 dated 18.01.2023 arising out of Excise P.S. F.I.R. No. 36 of 2023, instituted for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 300 litres illicit liquor from the garbage near Bajrangbali temple.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the said recovered liquor doesn't belong to the petitioner. Nothing has been recovered



from the conscious possession of the petitioner or from the house of the petitioner. The petitioner has no concern with the alleged recovered liquor or from the said place of occurrence. It is further submitted that another co-accused, namely, Satendra Dom @ Gabbar has been granted bail vide order dated 11.10.2023 passed in Criminal Miscellaneous No. 61000 of 2023 by this Court. Lastly, it has been submitted that he has three criminal antecedents.

5. Petitioner is ready to deposit a sum of Rs. 10,000/- (ten thousand rupees) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna, before furnishing bail bond in the court below.

6. Learned A.P.P. has opposed the prayer for bail of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Excise P.S. Case No. 74 of 2023 arising out of Excise P.S.



F.I.R. No. 36 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No. 1, Rohtas at Sasaram, subject to condition as laid down under Section 438(2) of the Cr.P.C. as well as payment of Rs. 10,000/- in the Patna High Court Legal Aid Services Committee.

(Khatim Reza, J)

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