

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47960 of 2024

Arising Out of PS. Case No.-254 Year-2024 Thana- SAKRA District- Muzaffarpur

Rakesh Mahto @ Rajeev Ranjan S/O Maheshwar Mahto R/O Village- Malpur
Agrail, P.S- Sakra, Distt.- Muzaffarpur. Petitioner/s

Versus

The Stae of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Asha Kumari, APP

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

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sakra P.S Case No. 254 of 2024 dated 06.05.2024 registered for the offence punishable u/s 30(a), 32(i) (ii), 36, 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1080 litres of foreign liquor was recovered from the *Truck*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle and the same was not being driven by him at the time of the alleged recovery. The name of the petitioner was disclosed by the apprehended co-accused person. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this



court *vide* order dated 25.06.2024 passed in Cr. Misc. No. 42921 of 2024. The petitioner has nine criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently 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/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Muzaffarpur, in connection with Sakra P.S Case No. 254 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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