

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49646 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- ITARHI District- Buxar

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Raja Yadav @ Raja Kumar Son of Harendra Singh Resident of Vill- Vikram
English, P.S.- Sikroul, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Itarhi P.S. Case No.66 of 2024 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 23
litres of country-made wine from the Toto *Rickshaw*. It is
alleged that the petitioner fled away from the spot..

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that no incriminating material has been
recovered from the conscious possession of the petitioner except
the disclosure statement of the co-accused, there is nothing
material against the petitioner. The petitioner has no concern



either with the Toto Rickshaw or with the recovered liquor. He further submits that petitioner has two criminal antecedents, however, the same is not in the Excise Act and he is on bail in both the cases. The petitioner undertakes to co-operate 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 upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Court No-1 Buxar/Concerned Trial Court in connection with Itarhi P.S. Case No.66 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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harshita/-

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