

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53179 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- KOCHAS District- Rohtas

Divakar Kumar @ Guard Son Of Murli Singh Resident Of Village- New
Dilliyon, Ward No 21, Ps-Dehari, District- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending his arrest in
connection with Kochas P.S. Case No. 109 of 2024 instituted for
the offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, there has been recovery of
104.64 liters of foreign liquor from a truck.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. Petitioner has no concern with the
alleged recovery of liquor. Petitioner has no concern with the
vehicle in question. No incriminating article has been recovered



from the conscious possession of the petitioner. It is next submitted that the petitioner has two criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. It is lastly submitted that Other co-accused has been granted anticipatory bail by this Court vide order dated 26-06-2024, passed in Cr. Misc. No. 41627 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Kochas P.S. Case No. 109 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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