

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55384 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- RAJEPUR District- East Champaran

Kishori Rai S/O Late Ishardeo Rai R/O Village-Narha Got,P.S.-Rajepur, Distt-
East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Manoj Kumar, APP

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

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rajepur P.S. Case No. 67 of 2024 registered for the offences punishable under Sections 272, 273, 414, 411 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the police has recovered 225.750 liters illegal liquor along with two motorcycles from the thatched tent of the co-accused Ramniwas Rai.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present application. The petitioner has no concern with the alleged recovery of liquor or the seized motorcycles. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Manish Kumar has been granted anticipatory bail by this Court vide order dated 12.07.2024 passed in Cr. Misc. No. 35873 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajepur



P.S. Case No. 67 of 2024, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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