

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59298 of 2024

Arising Out of PS. Case No.-471 Year-2024 Thana- BASANTPUR District- Siwan

Rakesh Kumar Rai Son of Basawan Rai @ Basawan Yadav Resident of
Village- Gopalpur Nawada, P.S.- Lakdi Naviganj, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Basantpur(Lakdi Naviganj) P.S. Case No.471 of 2024
instituted under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, 323.80 liters of illicit
liquor has been recovered near Gopalpur Chawar river.
Allegation against the petitioner is that he fled away from the
spot and the local Chaukidar has identified him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The recovery has been made from an open place. Neither
the petitioner ran from the spot nor has any concern with the



seized liquor, except suspicion, there is no material against the petitioner. He has been implicated in this case due to village politics. The petitioner has no criminal antecedent and he 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 Judge Excise 1st Siwan in connection with Basantpur(Lakdi Naviganj) P.S. Case No.471 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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