

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62588 of 2024

Arising Out of PS. Case No.-146 Year-2021 Thana- Dehri Mufassil District- Rohtas

Raj Kumar Dubey S/o Late Ramshwarup Dubey R/o Vill- Jhukhehi, P.S-
Amadera District-Satna (MP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

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

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

ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Dehri (M) P.S.
Case No. 146 of 2021, registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 2254 liters
liquor was recovered from three tractors.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner also
submitted that the petitioner was not present at the place of
occurrence. Name of the petitioner has transpired on the basis of
earlier ownership of the vehicle in question. The petitioner has



already sold the vehicle to one Jitendra Kumar and it is further informed by Jitendra Kumar that he also sold the vehicle to one Rajan Kumar. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 10.07.2024 passed in Cr. Misc. No. 45844 of 2024. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dehri (M) P.S. Case No. 146 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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