

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64516 of 2024

Arising Out of PS. Case No.-206 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Rakesh Kumar Rai @ Rakesh Kumar S/O Sury Ray R/O Village- Jawahi, P.S-
Jagdishpur, Hathilpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Ms.Malti Kumari, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in
Udwantnagar P.S. case No. 206 of 2024 registered under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that the
94.59 liters liquor was recovered from car in question.

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 criminal antecedent.
The name of the petitioner has transpired as being owner of the
vehicle in question. The petitioner had no knowledge regarding
the nature of goods kept in the vehicle. No incriminating



material has been recovered from the conscious possession of the petitioner. The petitioner has got no knowledge and concern with the alleged recovery of liquor. There is no compliance of Section 100 of Cr.P.C.

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 Udwanthnagar P.S. case No. 206 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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