

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69192 of 2024

Arising Out of PS. Case No.-134 Year-2022 Thana- GARDANIBAG District- Patna

Rahul Raj @ Monu Kumar Son of Sunil Kumar Gupta At present of resident
of Chitkohara, P.S.- Gardanibagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Achintya Anand

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

1. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Gardanibagh P.S. Case no. 134 of 2022 instituted for the offence under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act.

2. The case of the prosecution is that from the garbage bag 2.625 liters of liquor was recovered. It is also alleged that the petitioner has kept it there and that when police chased, he managed to escape.

3. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



case. The petitioner is a person with clean antecedent. It is also submitted that no recovery has been made from the possession of the petitioner.

4. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

5. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Gardanibagh P.S. Case No. 134 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No. 1, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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