

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69187 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- MAHISHI District- Saharsa

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Rikesh Kumar S/o- Dilchandra Sah Village- Rampur W.No-1, Ps- Baijnathpur
Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

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

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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 Mahishi P.S. Case no. 161 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

2. The case of the prosecution is that 25 liters of country made liquor was recovered from *e-rikshaw* and the driver of *e-rikshaw* managed to escape. It is also alleged that the petitioner is the owner of e-rikshaw.

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. It is also submitted that the petitioner is not having knowledge about the alleged liquor and that he has parked his vehicle and had gone for purchasing household articles, meanwhile seizure was made.

4. In contra, learned APP appearing for the State 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 Mahishi P.S. Case No. 161 of 2024, 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 Exclusive Special Judge (Excise), Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

6. Accordingly, the present anticipatory bail application stands allowed with a condition that petitioner



shall not indulge in similar nature of offences in future.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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