

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74075 of 2024

Arising Out of PS. Case No.-303 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Ahmad Raja Khan @ Shahrukh Khan S/o Jahid Khan R/o vill - Malahi, P.S. -
Kuchaikote, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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

ORAL ORDER

3 19-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kuchaikote P.S. Case No. 303 of 2024 registered for the
offences punishable under Sections 30(a) of the Bihar Excise
and Prohibition & Amendment Act, 2022.

3. As per prosecution case, there is recovery of total
373 litres of country made liquor from a gunny bag and a car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Petitioner has no concern and knowledge about the liquor.
Petitioner's name is disclosed by apprehended co-accused



persons. There is no compliance of Section 100 of the BNSS, 2023. Petitioner has no concern with the car in question. Petitioner is stated to be man of clean antecedent. Other co-accused has been granted regular bail by this Court *vide* order dated 21-11-2024, passed in Cr. Misc. No. 81272 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or 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 the learned court below where the case is pending/successor court in connection with Kuchaikote P.S. Case No. 303 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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