

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75339 of 2024**

Arising Out of PS. Case No.-211 Year-2024 Thana- BALIYA District- Begusarai

RAJNISH KUMAR S/O RAM BILASH YADAV @ RAMBILAS YADAV
R/o village - Bari Ballia south P.S- Ballia @ Baliya, Distt.- Begusarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar Seth, Adv.
For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Ballia P.S. Case 211/2024 dated 05.07.2024 registered for the offences punishable u/ss 30(a), 32, 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 243 litres of illicit foreign liquor was recovered from the Bolero pick up van.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner is not the owner of the said



vehicle. The name of the petitioner has sprung up in the confessional statement of the co-accused, Rajkumar Yadav who has already been granted regular bail by this court vide order dated 13.08.2024 passed in Cr. Misc. No. 57701 of 2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the material available on the record, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Begusarai in connection with Ballia P.S. Case 211/2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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