

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82339 of 2024

Arising Out of PS. Case No.-201 Year-2024 Thana- Excise P.S. District- Nawada

Rakesh Yadav @ Mukhia @ Rakesh Kumar son of Pappu Yadav @ Pappu Prasad, Resident of Village- Chanda, P.S. Wazirganj, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Nawada Excise P.S. Case No.201 of 2024 instituted under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 375 litres of country made liquor from a Bolero vehicle and it is alleged that the petitioner along with other co-accused persons fled away from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from possession of the petitioner. Petitioner is neither the driver nor the owner of the seized vehicle. Except secret information, there



is nothing against the petitioner. It is also submitted that similarly situated co-accused, namely, Navlesh Yadav has been granted anticipatory bail by this Court vide order dated 24.07.2024 passed in Cr.Misc.No.45344 of 2024. The petitioner has no criminal antecedent and he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court Excise-2, Nawada in connection with Nawada Excise P.S. Case No.201 of 2024 subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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