

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77285 of 2024

Arising Out of PS. Case No.-296 Year-2024 Thana- RAJAOLI District- Nawada

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Bhaskar Kumar @ Bed Raj Kumar Bhaskar Son of Anil Prasad Resident of
Vill.- Gangabigha, P.S.- Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Rajauli P.S. Case No. 296 of 2024 dated 16.06.2024 registered
under Section 30(a) of the Bihar Prohibition and Excise Act,
2022 and Section 414 of the I.P.C.

3. As per the first information report the Police on the basis
of secret information that on two motorcycles liquor was being
carried by three persons, proceeded towards the place of
occurrence and intercepted the motorcycles, however, after
seeing the Police party one person i.e. petitioner fled away and
two persons Sonu Kumar and Kamlesh Kumar were arrested.
Upon search, 15 liters of Mahua liquor was recovered from the
dicky of each of the motorcycles. The arrested co-accused /
Kamlesh Kumar disclosed that motorcycle was stolen by him
and the petitioner from Govind Mitra Road, Patna.



4. Learned counsel for the petitioner submits that petitioner is having no criminal antecedent and he has been implicated in this case merely on the confessional statement made by the arrested co-accused. The illicit liquor and motorcycle was recovered from the arrested co-accused. The allegation that the petitioner along with the co-accused Kamlesh Kumar has stolen the motorcycle is not supported by any *prima facie* evidence.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is having no criminal antecedent of similar nature of offence, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court II, Nawada in connection with Rajauli P.S. Case No. 296 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anil Kumar Sinha, J)

