

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79115 of 2024

Arising Out of PS. Case No.-359 Year-2024 Thana- SINGHESHWAR District- Madhepura

Rahul kumar S/o- Umesh yadav Village-Manhara Ps- Madhepura Dist-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-12-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Singheshwar Police Station Case No. 359 of 2024,
disclosing offences under Sections 30(a) of the Excise
Prohibition and Amendment Act, 2022.

3. As per the FIR, police intercepted two vehicles and
upon seeing the police party, four persons started fleeing away
and succeeded in the same. Police arrested two persons who
disclosed the name of the petitioner and others who succeeded
in fleeing away. 264.120 liters of illicit liquor has been
recovered from both the vehicles.

4. Learned Counsel for the petitioner submits that the
petitioner is having no criminal antecedent and he has been
made accused on the basis of disclosure of his name by the



arrested co-accused. Two vehicles from where the illicit liquor has been recovered do not belong to the petitioner as stated in paragraph 10 of the present bail application.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession and/or vehicle belonging to the petitioner and petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Additional Sessions Judge Vth cum Special Judge Excise I, Madhepura, in connection with Singheshwar Police Station Case No. 359 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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