

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86006 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- MAHINDWARA District- Sitamarhi

Rakesh Yadav @ Rakesh Rai S/o- Baidhanath Ray Village- Samaul Shahpur
PS- Mahindwara Distt-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2024 Heard Mr. Ritesh Kumar Narain Singh, learned
counsel for the petitioner and Mr. Dilip Kumar No. 1, learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30 (a)(b)(c),
36 of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
He submits that no incriminating article has been recovered from
the conscious physical possession of the petitioner rather 62.100
liters of foreign liquor is said to have been recovered from the hut
of co-accused. He submits that the apprehended person disclosed
the name of the petitioner. He submits that the petitioner has five
criminal antecedents of similar nature as mentioned in para-3 of
this application.

4. Petitioner is agreed to deposit a sum of
Rs.1,00,000/- (Rupees One Lakh) in the account of Lawyer's



Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Mahindwara P.S. Case No. 116 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S.S, subject to the further conditions that:

- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyer’s Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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