

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14719 of 2025

Arising Out of PS. Case No.-352 Year-2024 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Rakesh Kumar S/O Hari Chaudhary Resident of Village- Lalganj Sehra, P.S.
Paliganj, District- Patna,

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Magadh Medical P.S. Case no. 352 of 2024 instituted for the offence under Sections 30(A) of the Bihar Prohibition and Excise Act, 2022.

3. The case of the prosecution is that from a bike altogether 7.485 liter foreign liquor was recovered from the dicky of the bike. Hence, the present FIR.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. He was not apprehended on



the place of occurrence. He is the owner of the bike and that he has given his bike to his friend, who has misused his bike.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner stating that the petitioner has one criminal antecedent in which he is on bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Magadh Medical P.S. Case no. 352 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 4, Gaya, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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