

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13157 of 2025

Arising Out of PS. Case No.-44 Year-2019 Thana- GUTHANI District- Siwan

Rahul Kumar Singh @ Rahul Singh Son of Late Ganga Sagar Singh Resident
of Village- Pipra, P.S.- Mairwa, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a),38 (i) and 41(i),
of the Bihar Prohibition & Excise Act.

3. It would appear from the FIR and seizure list that
total 1347.840 liters foreign liquor was recovered from pickup-
van bearing Registration No. BR29L-0953.

4. Learned counsel for the petitioner submits that the
name of the petitioner has surfaced in the present case on
account of the fact that he is said to be the owner of the pickup-
van which is a public carrier and the said pickup-van was
driven by a driver and the petitioner had no knowledge that the
said vehicle was put to illegal work. It is further submitted that



the seizure list was not prepared according to the mandatory provisions of search and seizure and no recovery has been made from the physical and conscious possession of the petitioner.

5. Learned APP opposes the anticipatory bail on the ground that the petitioner has two criminal antecedents and one of which is a similar in nature.

6. Considering the aforesaid facts and circumstances of the case, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today, the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Guthni P.S. Case No. 44 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the learned court below shall verify the criminal antecedent of the petitioner before releasing him on bail.

7. However, the petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees. Five Thousand) in the account of Patna High Court Legal Services Committee, Patna bearing Account No. 1413010060836, IFSC Code-PUNB141320, Punjab



National Bank, Bar Council Branch, Patna.

(Soni Shrivastava, J)

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