

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34118 of 2025

Arising Out of PS. Case No.-604 Year-2019 Thana- JAMUI District- Jamui

Rajesh Kumar @ Rajesh Kumar Rawat S/O Badri Rawat R/O Village-
Satgama, PS- Jamui, Distt- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Jamui P.S. Case No. 604 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, during course of patrolling two persons were seen carrying a white coloured bag. On seeing police, both persons started fleeing away. One person was apprehended who disclosed the name of the petitioner, who is said to have fled away from the place of occurrence. There is alleged recovery of 7.125 liters illicit liquor from the bag in question.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. Except disclosure of co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. Petitioner was not found at the place of occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner bears criminal antecedent one case in which he is already on bail. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Excise Court No. 1, Jamui in connection with Jamui P.S. Case No. 604 of 2019,



subject to the conditions as laid down under section 438(2) of
the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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