

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33874 of 2025

Arising out of PS. Case No.-30 Year-2025 Thana- DHIBRA District- Aurangabad

Rakesh Kumar Singh S/o Awdhesh Singh R/o Village- Baija Bigha, P.S-
Amba, Distt.- Aurangabad (Bihar). Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
Mr. Birendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 27-06-2025 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dhibra P.S. Case No. 30 of 2025, GR No. 612/2025, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018. Petitioner has clean antecedent.

3. As per the prosecution case, on secret information, two persons on a motorcycle was seen coming and intercepted by the police. It is further alleged that one person who managed to escape was Rakesh Kumar Singh (the Petitioner) and the other person who was apprehended, disclosed his name as Santosh Kumar. On search, total 77.76 liters of foreign liquor was recovered.

4. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this



case and was not apprehended with any incriminating article. The learned counsel further submits that he has no concern whatsoever with the content which was seized by the police. It is also submitted by learned counsel for the petitioner that the recovered article does not belong to the petitioner. It has lastly been submitted that the petitioner has two antecedent of similar nature.

5. The learned A.P.P. for the State has opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties and taking into account that no recovery has been made from the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Special Judge, Excise Court No.-02, Aurangabad, (Bihar) in connection with Dhibra P.S. Case No. 30 of 2025, G.R. No. 612 of 2025, subject to the following



conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the
above-mentioned order shall not be
delayed for purpose of or in the name of
verification.

(Sourendra Pandey, J)

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