

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88435 of 2024

Arising Out of PS. Case No.-377 Year-2024 Thana- ISLAMPUR District- Nalanda

Rajnish Prasad S/o Krishna Prasad R/o Village- Sukhchain, PS- Isalampur,
District- Nalanda Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Islampur P.S. Case No. 377 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, there is alleged recovery of 575 ml foreign liquor from the house of father of the co-accused Kundan Kumar Pandey who was apprehended on spot. Apprehended co-accused disclosed the name of the petitioner and others who are said to have fled away from the place of occurrence by taking advantage of darkness. It is further alleged that the petitioner is one of them who has also



participated in consuming liquor in the under-constructed house of Dilip Kumar Pandey.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He has falsely been implicated in this case and he bears no criminal antecedent. The petitioner was not found at the place of occurrence and nothing has been recovered from his conscious possession. Except the disclosure of co-accused, there is nothing on record to connect the petitioner with the alleged occurrence.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, 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 his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Additional District Judge-IV-Cum-Exclusive Special Excise-



2, Nalanda in connection with Isalampur P.S. Case No. 377 of 2024, subject to the conditions as laid down under Section 482 of the BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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