

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88366 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- Safiyasarai District- Munger

Rakesh Kumar @ Dhako @ Dhakna S/o Pramod Yadav R/o vill - Hasanganj,
P.s.- Safyabad, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deep Anshuman

For the Opposite Party/s : Ms. Meena Singh

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 Safiyasarai P.S. Case No. 99/2024 registered for the offences punishable under Sections 30(a) and 32 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 21 liters illegal country made liquor from the place of occurrence and apprehended co-accused Bambam Yadav disclosed the name of petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. From the verbatim of FIR, it is crystal clear that



there was no recovery from the Apache motorcycle in question rather recovery was made from the sack. Except disclosure of apprehended co-accused Bambam Yadav, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. He further submits that apprehended co-accused has asked the mother of the petitioner to give the said motorcycle and the said motorcycle was taken in a good faith. Basically, nothing has been recovered from the conscious possession of the petitioner. Petitioner bears one criminal antecedent.

5. The learned A.P.P. for the State opposed 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 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 Exclusive Special Judge Excise-II, Munger in connection with Safiyasarai P.S. Case No. 99/2024, subject to the conditions as laid down under



Section 482(2) of the B.N.S.S.

(Alok Kumar Pandey, J)

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