

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88947 of 2024

Arising Out of PS. Case No.-544 Year-2024 Thana- MALSALAMI District- Patna

Rahul Kumar, Son of Late Ajay Sao, Resident of Mohalla- Bhathi Par, P.S.-
Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshay Tripathi, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Malsalami P.S. Case No. 544 of 2024 registered for the offences punishable under Sections 30 (a) of the Bihar Prohibition Excise (Amendment) Act, 2022.

3. As per prosecution case, there is total recovery of 1.5 litres of foreign liquor from a bag hanging in handle of the scooty. The police apprehended one of the co-accused who disclosed the name of the petitioner, that he is engaged in home delivery of illicit liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure statement of the co-accused



Pankaj Kumar. There is no material except the confessional statement of co-accused against the petitioner. The petitioner was neither present on the spot nor he has any concern with the seized liquor or scooty. The petitioner has no criminal antecedent. Petitioner undertakes to cooperate in the investigation of the present case.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Malsalami P.S. Case No. 544 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Sunil Dutta Mishra, J)

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