

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9196 of 2019

Arising Out of PS. Case No.-238 Year-2018 Thana- BAKHARI District- Begusarai

RAUSHAN KUMAR Son of Rama Mahto Resident of Village – Majnupur,
P.S. Nawkothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 28-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Bakhari P.S. Case No. 238 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Informant is the police officer, who received secret information on 10.08.2018 at 11.30 PM in the night and he alongwith other police personnel reached the house of Rajesh Sada, on seeing the police personnel four accused persons including petitioner fled away and their name was disclosed by local Chaukidar. On search 103.68 litres of foreign liquor was recovered from the sack.

It has been submitted on behalf of the petitioner that



petitioner is innocent and has been falsely implicated in this case. He was not apprehended on the spot. Petitioner has no criminal antecedent and he is in custody since 17.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, IInd cum Special Judge, Excise, Begusarai, in connection with Bakhari P.S. Case No. 238 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on



bail the trial court shall take steps to cancel his
bail bond.

(S. Kumar, J)

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