

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42149 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- DHANSOI District- Buxar

RAUSHAN SINGH @ RAUSHAN KUMAR SINGH S/O Late Sheshnath
Singh Resident of village- Majhariyan, P.S.- Buxar (Ind), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 02-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail
in connection with Dhansoi P.S. Case No. 41 of 2019 registered
for the offences punishable under Section 30(A) of the Bihar
Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
name of the petitioner has been involved in this case on the
basis of the statements made by the apprehended accused. It is
submitted that the FIR has been lodged by Sub-Inspector of
Police in which it is stated that in course of raid three persons
fled away by a Safari vehicle. The vehicle registration number
is UP65-JH-5757. Thereafter a truck was intercepted and on
search 172 cartons wine have been recovered.

It is submitted that this petitioner has nothing to do



with the vehicle in question. Learned counsel submits that although in paragraph 11 of the application specific statement has been made by the petitioner that the petitioner is neither the owner of the seized truck and Apache motorcycle but the fact remains that the petitioner has no concern with the Safari vehicle as well. This, he is stating in full responsibility on instruction.

Learned APP has opposed the prayer of anticipatory bail.

In the given facts and circumstances of the case where the name of the petitioner has transpired in the statement of the apprehended accused and no other independent materials have been brought at this stage to connect the petitioner as also he has no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Dhansoi P.S. Case No. 41 of 2019 be enlarged on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise, Buxar, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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