

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53794 of 2019

Arising Out of PS. Case No.-99 Year-2018 Thana- MANSI District- Khagaria

ROSHAN KUMAR @ RAUSHAN KUMAR, aged about 30 years, Male,
Son of Bijay Chaurasia, Resident of Village - Maheshkhunt, P.S.-
Maheshkhunt, Dist.- Khagaria ... Petitioner

Versus

The State of Bihar ... Opposite Parties

Appearance :

For the Petitioner : Mr. Jai Kishor Poddar, Adv.
For the Opposite Parties : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Mansi P.S. Case No. 99 of 2018 for the offence alleged under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information
about selling and purchasing of illicit liquor in village Rajajan at
the house of Bittu Yadav, the informant, along with other police
officials, reached and found that in dismantled house three
motorcycles were parked from where seven persons, seeing the
police personnel started to flee away. They were chased, but,
succeeded to flee away. At that time, informant identified Bittu
Yadav. On search, two bottles, each containing 750 ml Indian
made foreign liquor, recovered from the dicky of black coloured
Apache motorcycle, bearing registration no. BR-19L-1715.
Two motorcycles, one Apache bearing registration no. BR-34L-
3279 and another Pulsar, bearing registration no. BR-34L-6018,



have been seized.

Learned counsel appearing for the petitioner submits that while the petitioner is the owner of Apache motorcycle, bearing registration no. BR-34L-3279, from which no incriminating articles was recovered. The petitioner, who has no criminal antecedent, has not been apprehended on the spot.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Mansi P.S. Case No. 99 of 2018 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Khagaria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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