

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 985 of 2020

Arising Out of PS Case No.-116 Year-2019 Thana- KHUTAUNA District- Madhubani

Raushan Kumar, aged about 21 years (Male) Son of Radha Mohan Gupta,
Resident of Village - Jhanjharpur, P.S.- Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 19-03-2020

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Khutauna
PS Case No. 116 of 2019 dated 17.11.2019 instituted under
Sections 279, 337, 338, 272, 273 and 353 of the Indian Penal
Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner and three others
is that from the Bolero vehicle he was driving, 405 litres of Nepali
countrymade wine was recovered.

4. Leaned counsel for the petitioner submitted that he
was only the driver of the vehicle and had no connection with the
materials which were present in the vehicle. It was further



submitted that the petitioner has no other criminal antecedent and is in custody since 17.11.2019.

5. Learned App, from the case diary, could not controvert the aforesaid submissions of learned counsel for the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge (Excise) Act, Madhubani in Khutauna PS Case No. 116 of 2019.

7. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.



8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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