

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18028 of 2020

Arising Out of PS. Case No.-428 Year-2019 Thana- NAANPUR District- Sitamarhi

RAUSHAN KUMAR Son of Late Lakshman Ray Resident of Village -
Nowadih, P.S.- Nanpur, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr. Chandra Bhushan Pd.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-05-2020 (The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.)

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

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 272, 273,
308 of the I.P.C. and under Sections 30, 30(a) of Bihar
Prohibition and Excise Act.

Allegation is recovery of 10 litres of Mahua country-
made liquor and 40 litres of semi prepared liquor from the
petitioner.

It has been submitted on behalf of petitioner that he is
innocent and has been falsely implicated in this case. Petitioner



was not apprehended from the spot. His name has surfaced in this case on the basis of confessional statement of co-accused Ramsurat Rai who has already been granted bail by a co-ordinate Bench of this Court vide order dated 07.01.2020 passed in Cr. Misc. No. 481 of 2020. Petitioner has no criminal antecedent and is in custody since 07.02.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount to the satisfaction of learned court below, in connection with Nanpur P.S. Case No. 428 of 2019 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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