

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24615 of 2020**

Arising Out of PS. Case No.-248 Year-2019 Thana- BIBHUTIPUR District- Samastipur

RAUSHAN KUMAR Son of Late Ramanuj Singh Resident of Village-  
Sakhmohan, Ward No. -14, P.S.- Vibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Ms Pushpa Sinha

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      22-09-2020      As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

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

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Vibhutipur P.S. Case no. 248



of 2019 instituted for the offence under Sections 272 and 273 of the IPC and Section 30(A) of the Bihar Prohibition and Excise Act, 2016 .

Acting on a secret information regarding illicit trade of liquor near water tower the police proceeded for verification. Five persons, including the petitioner have been identified have fleeing away. 336.06 liters of illicit IMFL is alleged to have been recovered from the place.

It is submitted by the petitioner's counsel that there is no basis for identification of the petitioner. It is a case of false implication. Recovery of illicit liquor, even as per prosecution case is not from the petitioner's possession, but from an open space having general public excess. The petitioner is on bail in other cases pending against him from before as mentioned in para 3 of the bail petition.

Petitioner is in custody since 19.4.2020.

The learned APP opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge –II- Cum- Special Judge Excise Samastipur, in connection with



Vibhutipur P.S. Case no. 248 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

shyambihari/-

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