

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.26777 of 2020**

Arising Out of PS. Case No.-307 Year-2019 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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Raushan Kumar Son of Purab Jha Resident of Vill- Bari Eghu, P.S.-  
Moufassil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mr.A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

2. 14-10-2020 Heard both parties through video conferencing.

The petitioner seeks bail in Moufassil P.S. Case No.  
307 of 2019, registered for the offence under Sections 30(a) and  
41(1) of Bihar Prohibition and Excise Act.

90.750 liters of foreign liquor is alleged to have been  
recovered from a bamboo clump near the house of co-accused  
Chhotu Sah.

It is submitted on behalf of petitioner that name of  
petitioner has come only on the basis of confession of co-  
accused Kunal Kumar and Vishal Kumar. Save & except  
confession, nothing has been recovered from the conscious  
possession of the petitioner. It is further submitted that some of  
the co-accused Ranjan Singh and Mahadev Kumar @ Murari  
Kumar have already been granted anticipatory bail by this



Court, vide order dated 24-02-2020 passed in Cr.Misc. No. 57 of 2020 and order dated 05-03-2020 passed in Cr.Misc. N. 83729 of 2019 respectively (Annexure 2 series). The petitioner has got clean antecedent, as stated in paragraph – 3 of the petition and he is in custody since 18-08-2020.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge II cum Special Judge, Excise Act, Begusarai in connection with Moufassil P.S. Case No. 307 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

**(Prabhat Kumar Singh, J.)**

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