

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84917 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- DALSINGHSARAI District- Samastipur

RAUSHAN KUMAR @ RAUSHAN KUMAR SAH Son of Umesh Sah
Resident of Village- Bambaiya Harlal, P.S.- Dalsingsarai, District-
Samastipur. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Parmanand Prasad,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner in this case is seeking regular bail in connection with Dalsinghsarai P.S. Case No. 274 of 2019 registered for the offence punishable under Section 30(A) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the alleged recovery of 216.60 liter of illicit liquor has been made from an abandoned house and not from possession of the petitioner. It is submitted that the petitioner is in custody since 09.12.2019 having no criminal antecedent.

Learned APP does not dispute the aforesaid submission.

Considering the facts and circumstances of the case wherein the submission of learned counsel for the petitioner has not been controverted on behalf of the State that the illicit liquors were recovered from an abandoned house and not from possession of this



petitioner and that the petitioner has no criminal antecedent, let the petitioner above named be released on bail in connection with Dalsinghsarai P.S. Case No. 274 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -2nd -cum- Special Judge, Excise, Samastipur, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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