

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15019 of 2021

Arising Out of PS. Case No.-607 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

RAUSHAN KUMAR S/o- Kamesh Kumar Rai R/o Village- Karhatiya
Buzurg, P.S.- Goraul (Katahara O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kanchan Kumari, Adv.

For the Opposite Party/s : Mr.Md.Arif, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Sadar Hajipur P.S. Case No.607 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 and section 414 of the IPC.

Altogether 650.160 liters of foreign liquor is said to have been recovered from a pick up van. Petitioner is the driver of the said vehicle.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the F.I.R. No such offence, as alleged has ever took place. It is further submitted that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. Petitioner has nothing to do with the said vehicle. Petitioner has been falsely implicated in this case by the police. He was going to his house when police stopped him and made to sit in the pick up van and implicated him as the driver of the said vehicle. It is submitted that the seizure list is forged and fabricated. Petitioner has one criminal antecedent of similar nature and has been languishing in custody since 05.10.2020.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of



learned Additional District & Session Judge- 2nd cum-Special Judge, Vaishali at Hajipur in connection with Sadar Hajipur P.S. Case No. 607 of 2020 with the following conditions:-

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00 (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

