

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29203 of 2021

Arising Out of PS. Case No.-551 Year-2019 Thana- BAGHA District- West Champaran

Raju Kumar @ Raju Kumar Kushwaha Son of Sri Narayan Kushwaha
Resident of Village Sukhpura Lawangpur, P.S. Kotwali, Padrauna, District
Kushinagar (U.P.).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Ms. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Bagaha P.S.
Case No.551 of 2019, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. There is no recovery from the conscious
possession of the petitioner rather 1062.720 litres of foreign
liquor has been recovered from a pickup van and the
apprehended driver has disclosed the name of co-accused Lalan
Kushwaha. It is further submitted that during investigation, the
name of the petitioner transpired in the case. The petitioner has



got no criminal antecedent as stated in para 3 of the bail petition.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Petitioner is agreed to deposit a sum of Rs.50,000/- (rupees fifty thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFS Code PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

In the facts and circumstances of the case, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of this order, be enlarged 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 Special Judge, Excise, West Champaran at Bettiah in connection with Bagaha P.S. Case No.551 of 2019, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.



(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.50,000/- (rupees fifty thousand) in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

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