

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38269 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- FULKAHA District- Araria

RAUSHAN YADAV @ RAUSHAN KUMAR YADAV Son of Ghanshyam
Yadav Resident of Village- Manikpur, P.S.- Fulkaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard.

The petitioner seeks regular bail in connection with Fulkaha P.S. Case No. 129 of 2020 corresponding to Special Case No. 867 of 2020 for the offence punishable under Sections 30(a), 41(i) and 45 of the Bihar Prohibition and Excise Act, 2016.

It has been alleged that while the petitioner and one co-accused person were travelling on a motorcycle, they had thrown a jute bag containing 81 liters of illicit Nepali Soufi wine, upon seeing the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, and is languishing in custody since 11.4.2021. The learned counsel for the petitioner has submitted that the



petitioner has not been arrested from the spot and merely on suspicion, he has been roped in the present case.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge (Excise Act), Araria in connection with Fulkaha P.S. Case No. 129 of 2020 corresponding to Special Case No. 867 of 2020.

(Mohit Kumar Shah, J)

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