

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13265 of 2022

Arising Out of PS. Case No.-18 Year-2021 Thana- NASRIGANJ District- Rohtas

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Raushan Kumar @ Raushan Kumar Gupta Son Of Shivjee Prasad Gupta
Resident Of Village - Keshodih, P.S.- Bikramganj, Distt.- Rohtas.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(a)(c), 36 and 38 of the Excise Act, 2018, Sections 25(1-b)a,
26, 35 of the Arms Act and Section 120B of the Indian Penal
Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 626.6 litre of liquor from three vehicles parked in
Baba Rice Mill from which recovery of 3.6 litre of liquor is
alleged to have been made from a motorcycle of the petitioner,
which was also parked in the aforesaid rice mill along with 2765
of sprit and a rifle recovered from the office of the rice mill
apart from other articles as detailed in the F.I.R.

The learned counsel for the petitioner submits that



petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. He has already sold his motorcycle to one Sonu Kumar as it has been specifically pleaded at Para-8 of the petition. It is submitted that the owner of the rise mill has been granted anticipatory bail.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nasriganj P. S. Case No.18 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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