

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24150 of 2022**

Arising Out of PS. Case No.-377 Year-2021 Thana- MADANPUR District- Aurangabad

KARU RIKIYASHAN @ SARJU BHUIYA @ KARU BHUIYA @ SARYU
BHUIYAN S/o Nathun Bhuiya Resident of Village- Umga Barchhi Bir
Colony, P.S.- Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 20-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 420, 467, 468, 471, 413, 414
of the Indian Penal Code read with Sections 30(a) and 33 of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

Allegation is of recovery of 14 gallons of spirit each
containing 24 litres of spirit from the house of the petitioner
based on the disclosure made by Anshu Kumar @ Golu.

Learned counsel for the petitioner submits that the
petitioner is in custody since 23.03.2022, charge-sheet has been
submitted and is a person with clean antecedent. Learned



counsel further submits that the house is a joint family property and, as such, petitioner was not aware who had kept the spirit in the house. Learned counsel next submits that petitioner was not arrested from the spot and name of the petitioner transpired in the confessional statement of co-accused Anshu Kumar @ Golu which has no evidentiary value.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 23.03.2022, charge-sheet has been submitted, is a person with clean antecedent, was not arrested from the spot and name of the petitioner transpired in the confessional statement of co-accused, the petitioner, above named, is directed to be released on bail on furnishing bail bond 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 Madanpur P.S. Case No. 377 of 2021 (General Panjiyan No. 1729 of 2021).

(Satyavrat Verma, J)

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