

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41185 of 2021

Arising Out of PS. Case No.-122 Year-2021 Thana- BENIPATTI District- Madhubani

RAUSHAN KUMAR DAS S/o Ramekbal Das Resident of Village-
Mahadevpatti, P.S.- Harlakhi, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-01-2022 Heard Mr. Bhavesh Kumar Sah, learned counsel for
the petitioner and Mr. Shantanu Kumar, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Benipatti P.S. Case No. 122 of 2021 registered for the offence
punishable under Sections 272, 273 of the Indian Penal Code
1860 and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The Police on the basis of secret information
intercepted one Car. However, two persons sitting therein started
fleeing away after getting down from the Car and the petitioner
was arrested while the another person succeeded in fleeing
away. On search, a total quantity of 180 litres of Nepali liquor



was recovered from the said Car.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case by the Police and the procedure prescribed under the Excise Act as well as Cr. P.C. regarding search and seizure has not been followed. Learned counsel further submits that the petitioner has got no criminal antecedent, he is in custody since 12.6.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent, he is in custody since 12.6.2021, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19 pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise Act, Madhubani, in connection with Benipatti P.S. Case No. 122 of 2021.

It is made clear that at the time of furnishing bail



bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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