

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41495 of 2021

Arising Out of PS. Case No.-391 Year-2020 Thana- PUPRI District- Sitamarhi

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RAUSHAN KUMAR RAM @ RAUSHAN KUMAR S/o Madho Ram
Resident of Village - Belmohan Pupri (Pupri Gaon), P.S. - Pupri, District -
Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022 Heard.

The petitioner seeks regular bail in connection with Pupri P.S. Case No. 391 of 2020, registered for the offence punishable under Sections 272/ 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 140.730 liters of illicit liquor from the house of the co-accused person namely Dharmendra Kumar and upon interrogation, he is stated to have named the petitioner as one of his accomplice.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 29.4.2021. The learned counsel for the



petitioner has further submitted that neither the house from where the illicit liquor has been recovered, belongs to the petitioner nor any illicit liquor has been recovered from the conscious possession of the petitioner.

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

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 fact that the house from where the illicit liquor has been recovered, does not belong to the petitioner and moreover, no illicit liquor has been recovered from the conscious possession of the petitioner, I deem 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 Additional District and Sessions Judge-II cum Special Judge (Excise), Sitamarhi in connection with Pupri P.S. Case No. 391 of 2020.

(Mohit Kumar Shah, J)

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