

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31945 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- BARUN District- Aurangabad

Raushan Kumar S/O Rampravesh Singh R/O Village- Devkali, P.S.- Obra,
District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 82.5 litres of illicit liquor
from a motorcycle. The petitioner has been implicated in
this case since he is owner of the motorcycle.

It is submitted by learned counsel for the
petitioner that petitioner was not apprehended from the
spot. Nothing has been recovered from the conscious
possession of the petitioner. The petitioner is owner of



the seized motorcycle but co-accused Shiv Kumar was apprehended while he was driving the vehicle and seizure of illicit liquor was made after his arrest. The petitioner has no concern with the illicit liquor. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Aurangabad in connection with Barun P.S. Case No. 127 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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