

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41915 of 2022

Arising Out of PS. Case No.-448 Year-2021 Thana- MAKHDUMPUR District- Jehanabad

RAUSHAN KUMAR SINGH @ RAUSHAN KUMAR Son of Suresh Prasad
Singh Resident of Village - Adarsh Nagar Tati Silvaya, P.S. - Titai Silvaya,
District - Ranchi (Jharkhand). Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed
by the petitioner apprehending his arrest in connection with Excise
Case No. 1152 of 2021, arising out of Makhdumpur P.S. Case No.
448 of 2021 instituted for the offence under Sections 30(a) of the
Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 160 litres of IMFL
from a bus bearing registration no. JH-02P-9288, of which, driver
Praveen Kumar was arrested on spot and he disclosed the name of
the petitioner as one of his associates.

Learned counsel appearing on behalf of the petitioner has
submitted that petitioner is innocent and has committed no offence.
He has got no criminal antecedent. Petitioner has no concern with the
alleged recovery or with the vehicle in question. The name of the
petitioner has been disclosed in this case by the apprehended co-



accused Praveen Kumar before the police, which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise case no. 1152 of 2021 arising out of Makhdumpur P.S. Case no. 448 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court-I, Jehanabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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