

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51551 of 2022**

Arising Out of PS. Case No.-51 Year-2022 Thana- MUFFASIL District- Aurangabad

Raushan Kumar @ Bosh S/O Chhotu Lal Yadav Resident of village- Tundua  
Pokhar, P.S.- Muffasil, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amit Anand

For the Opposite Party/s : Mr. Abhay Kumar Roy

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      15-11-2022                      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 Muffasil P.S. Case no. 51 of 2022 instituted for the offence  
under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of total 21 liters  
illicit country made liquor from straw (Puwal) situated near  
south side of Tendua Pokhar Tawar.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has falsely been implicated in this on the basis of  
mere suspicion. Petitioner has no concern with the alleged  
recovery of illicit liquor and he is not owner of the alleged  
straw. It is further submitted that the father of petitioner had



already arrested in this case. The name of the petitioner has been disclosed in this case on the statement of co-accused, namely, Chhotu Lal Yadav. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious 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 Muffasil P.S. Case no. 51 of 2022, 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 Judge, Excise, 1<sup>st</sup>, Aurangabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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