

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53821 of 2022

Arising Out of PS. Case No.-281 Year-2021 Thana- NADI P.S. District- Patna

Raushan Kumar, Son Of Late Badri Ray R/O Village- Jehuli, P.S.- Nadi,
District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(a), 34, 36, 41 and 44 of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 84.75 litres of liquor and 40 litres of spirit from
the house of Lok Nath Rai. Further, 50 litres of spirit and 66.35
litres of liquor along with 400 pieces of empty liquor bottles
from the hut of Rajiv Rai and 100 litres of spirit and 800 pieces
of empty bottles from the hut of Bhuneshar Rai.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession. It is also submitted that the alleged recovery is not from the house of the petitioner and he came to be implicated based on secret information which is the easiest way to implicate someone when admittedly petitioner is a person with clean antecedent.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case no.6197 of 2021 arising out of Nadi P. S. Case No.281 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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