

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55658 of 2022

Arising Out of PS. Case No.-478 Year-2022 Thana- FATUA District- Patna

Raushan Kumar S/O Late Chandu Chaurasiya Permanent R/O village- Varrun,
P.S- Hilsa, District- Nalanda and at present R/O- Govindpur Fatuah, renter in
the House close to Dr. Ramesh, P.S- Fatuah, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Fatuah P.S.
Case No. 478 of 2022 registered for the offence under Sections 25(1-
b)a/26/35 of the Arms Act, Sections 399/402/414/420 of the IPC and
30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 10.07.2022.

The allegation against the petitioner is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 3 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that alleged recovery of illicit liquor was made from polythene bag, which is not connected in any manner with this petitioner. It is further submitted that petitioner is a man of clean antecedent and also the witnesses of seizure list not appears independent, rather they are police personnels. While concluding the argument, it has been submitted that investigation of this case has been completed, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, by taking note of doubtful seizure list, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Fatuah P.S. Case No. 478 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Spl. Judge - Excise, Patna City/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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