

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4886 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- DUMRA District- Sitamarhi

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RAUSHAN KUMAR Son of Amur Rai R/o Village - Hariharpur, P.S.-
Dumra, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Murari

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

185.91 litres of illicit liquor has been recovered from
poultry farm of co-accused, Manoj Kumar Rai.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. It is further submitted that the apprehended person,
namely, Manoj Kumar Rai disclosed the name of the petitioner
and other co-accused persons. It is lastly submitted that there is



no recovery from conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs.30,000/- (rupees thirty thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Sitamarhi in connection with Dumra P.S. Case No.399 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the



aforesaid amount in Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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