

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10286 of 2023

Arising Out of PS. Case No.-32 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Roushan Kumar Sinha S/O Raj Kumar Sinha R/O Village-Masrat Bazar,
Shivji Murti, Shivaji Nagar, P.S.- Town, District- Darbhanga, Bihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

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

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 54 liters of country made liquor is said to have been recovered from the car. He submits that the petitioner is the owner of the car in which the alleged country made liquor has been recovered. However, it is submitted that the petitioner provides his car for rent and on the alleged date, the car was



given out for rent through an agent. The petitioner was nowhere in possession of the car. He submits that the petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Bihar State Bar Council Welfare Fund bearing Account No.31861041899, IFSC Code: SBIN0010340, State Bank of India, High Court Campus, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Excise Case No. 32 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) 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 the account of Bihar State Bar Council Welfare Fund, Patna.

(Anjani Kumar Sharan, J)

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