

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52060 of 2023

Arising Out of PS. Case No.-258 Year-2023 Thana- MAHUA District- Vaishali

Raushan Kumar S/O Ratan Paswan R/O Village- Chakumarkhan, Ps. Mahua,
Dist. Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272, 273 of the I.P.C. and Section 30(a) of the Excise
Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 52.125 litres of liquor from a hut and
from a maize field of Jammu Singh. Further, one motorcycle
was also seized.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be



implicated at the instance of villagers, but then, the F.I.R. does not disclose the name of the villager, who disclosed the name of the petitioner. It is next submitted that petitioner is neither the owner of the seized motorcycle nor the maize field and the hut belongs to him.

5. Learned A.P.P. opposes the bail application.

6. 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, 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 the learned Exclusive Special Prohibition and Excise Court-IIInd-cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Mahua P. S. Case No.258 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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