

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58108 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Raushan Kumar @ Pintu Kumar @ Pintu S/O Chandrashekhar Prasad Singh
@ Chandrashekhar Mahto R/O Village- Turki Tol Chakhabib, P.S- Bibhutipur,
Distt.- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bibhutipur P.S. Case No. 106 of 2023 dated 20.03.2023,
instituted for the offence punishable under Sections 272, 273,
420, 467, 468, 471, 120(B) of the Indian Penal Code and 30(a),
30(b), 32, 41 and 62 of Bihar Prohibition and
Excise(Amendment) Act, 2022.

3. As per the case of prosecution, 1707.90 litres foreign
liquor has been recovered from the house of Bipin Kumar
Mahto and one Bolero pickup van bearing Registration No.
BR06-GE-3505.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that four persons were apprehend at the



spot. It is submitted that petitioner has not been arrested at the spot. The apprehended accused persons have disclosed the name of the petitioner and only on the basis of confessional statement of apprehended co-accused, the petitioner has been made accused in this case. It is further submitted that petitioner has no concern with the said Bolero pickup van. Neither he is the owner nor the driver of the said vehicle. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Bibhutipur P.S. Case No. 106 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court-I, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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