

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63059 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- LAURIA District- West Champaran

Rama Kant Kushwaha @ Ramakant Prasad Kuswaha Son Of Timal
Kushwaha Resident Of Village - Sauraha Sugar Chop, Ward No.3, P.S. -
Lauriya, District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2023 Heard Mr. Gauri Shankar Thakur, learned counsel
for the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for
the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273
of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise Act.

3. 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 33.480 liters of foreign liquor is said to have
been recovered near the house of the petitioner. He submits that
the local Chowkidar disclosed the name of the petitioner.



Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No. 3332964762, IFSC Code: CBIN0282779 (fifth character is zero), MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

5. 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 Lauriya P.S. Case No. 147 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, 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.

6. 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 Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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