

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70291 of 2023

Arising Out of PS. Case No.-249 Year-2023 Thana- ROSERA District- Samastipur

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Koushal Kishor Rai @ Kaushal Singh @ Kaushal Ray S/O Ramanand Rai @
Namalum R/O Village- Dharha Ward No. 10, P.S- Rosera, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 272, 273 and 34 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, there has been recovery of
656.250 liters of illegal foreign liquor from a bamboo clump.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
He submitted that the petitioner has no concern either with the
seized liquor or with the motorcycle and the place of occurrence
does not belongs to the petitioner. No incriminating article has



been recovered from the conscious possession of the petitioner.
He is languishing in judicial custody since 05.09.2023.

5. The application for bail is opposed by learned APP
for the State.

6. Having heard learned counsel for the parties and
considering the facts and circumstances of the case as well as
period of custody, this court is inclined to enlarge the petitioner
on bail. The above named petitioner is directed to be enlarged
on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand
only) with two sureties of the like amount each to the
satisfaction of the learned Exclusive Excise Court-1-cum-Spl.
Judge, Excise-1, Samastipur in connection with Rosera P.S.
Case No. 249 of 2023.

(Sunil Kumar Panwar, J)

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