

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71521 of 2023

Arising Out of PS. Case No.-510 Year-2022 Thana- KANTI District- Muzaffarpur

=====

RAUSHAN SHAHI @ RAUSHAN KUMAR S/o- SRI SURESH SHAHI
Village- Sahbajpur PS- Kanti Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kanti P.S. Case no. 510 of 2022 registered under sections 420, 467 and 468 of the Indian Penal Code and sections 30(a), 32(i)(ii), 36 and 46(i) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that after secret information having been received, two accused persons namely Navin and Gagan were arrested and about 681 litres of liquor was recovered from their vehicle. It is stated that they disclosed that two accused persons namely Monu and Manoj had managed to escape and further that the liquor was to be delivered to the petitioner and one another.

4. It is submitted by learned counsel for the



petitioner that from the FIR itself it would be evident that neither the petitioner was arrested at the spot nor any incriminating article was recovered from his possession. His name transpired in the statement made by the coaccused before the police. The cause of false implication of the petitioner is his antecedent. He is in custody since 27.7.2023.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, no incriminating article having been recovered from his possession and he being in custody since 27.7.2023, the Court directs the petitioner to be enlarged on bail in connection with Kanti P.S. Case no. 510 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court no.II, Muzaffarpur.

(Partha Sarthy, J)

Bibhash/-

U			
---	--	--	--

