

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72864 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- RAFIGANJ District- Aurangabad

Ram Pravesh Choudhary Son Of Mahadi Choudhary @ Late Musaphir
Choudhary Resident Of Village - Naiyki, Police Station - Rafiganj, District -
Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner seeks permission to
correct the No. of Rafiganj PS mentioned in para 3 of the
petition in due course.

3. Permission is accorded.

4. The petitioner apprehends arrest in connection with
Rafiganj P.S. Case No. 89 of 2023 dated 26.02.2023, instituted
for the offence punishable under Sections 413,414/34 of the IPC
and Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2018.

5. There is alleged recovery of 25 liters of country made
liquor from the house of Ranjeet Kumar.



6. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession or from the house of the petitioner. It is next submitted that petitioner has no concern either with said co-accused, namely, Ranjeet Kumar or the said seized liquor. It is next submitted that Rafiganj PS Case No. 88 of 2023 was registered against the petitioner under Section 30(a) of the Excise Act on 25-02-2023 and on the next day house of co-accused, namely, Ranjeet Kumar was searched, for which, the present prosecution case was registered and in both the cases the petitioner has been made accused. The petitioner has one criminal antecedent, as stated above.

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

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender before the learned Court below within six weeks from today, the petitioner be released on 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-1st, Aurangabad in connection with



Rafiganj P.S. Case No. 89 of 2023, subject to condition as laid
down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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