

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71404 of 2022

Arising Out of PS. Case No.-396 Year-2021 Thana- RAMNAGAR District- West Champaran

RAUSHAN @ RAUSHAN KUMAR SON OF KEDAR YADAV R/O VILL.-
RAMPURWA PATKHAULI, P.S.- YOGAPATTI, DISTT.- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Ramnagar P.S. Case No. 396 of 2021, registered for the offence punishable under Sections 30(a)/33 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 4200 liters of spirit from a truck, whereupon two persons were apprehended and they had disclosed the names of their accomplices including that of the petitioner herein.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 19.10.2022. The learned counsel for the petitioner has further submitted that neither the petitioner is the owner of the truck in question or any illicit liquor has been recovered from the conscious possession of the petitioner nor he has been apprehended from the spot.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the petitioner is the owner of the truck in question nor he has been arrested from the spot nor the illicit liquor has been recovered from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the



petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 396 of 2021.

(Mohit Kumar Shah, J)

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