

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77360 of 2023

Arising Out of PS. Case No.-302 Year-2023 Thana- RIGA District- Sitamarhi

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RAUSHAN KUMAR SON OF JAY GANESH SINGH RESIDENT OF
VILLAGE - RAM NAGRA, P.S. - RIGA, DISTRICT - SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 414 and 30 (a) of Bihar Prohibition and Excise Act, 2018.

3. Altogether 6.660 liters of illicit liquor has been recovered from the seized motorcycle. Two persons got apprehended on the spot and disclosed the name of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no concern either with the seized liquor or the place of recovery or any



trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of his enemy. The seized motorcycle does not belong to the petitioner. He was not apprehended on the spot. He had not consumed liquor. He has been falsely implicated in the case on the confessional statements of the apprehended co-accused which have no evidentiary value in the eye of law. Petitioner has no criminal antecedents as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. 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 Riga P.S. Case No. 302 of 2023, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C,
subject to the further conditions that

(1) One of the bailors will be his own blood relative,
preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any
similar offence till conclusion of the trial.

7. The bail bond of the petitioner shall be accepted by the
learned Court below on showing receipt of deposit of the
aforesaid amount in Patna High Court Legal Services
Committee, Patna.

(Anjani Kumar Sharan, J)

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