

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13050 of 2024**

Arising Out of PS. Case No.-455 Year-2023 Thana- RIGA District- Sitamarhi

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RAUSHAN KUMAR @ RAUSHAN SAH S/O RAGHUNATH SAH R/O  
VILLAGE- REWASI, WARD NO. 08, P.S- RIGA, DISTT.- SITAMARHI,  
BIHAR. PIN CODE- 843327.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Raghvendra Kumar, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      06-03-2024                      1. Heard learned counsel for the petitioner as well as  
learned APP for the State.

2. The petitioner seeks bail in anticipation of his  
arrest in a case registered for the offences punishable under  
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The learned counsel for the petitioner submits that  
the petitioner is a person with clean antecedent and allegation is  
of recovery of 375 ml of liquor from a motorcycle.

4. It is next submitted that petitioner was not arrested  
from the spot as such nothing was recovered from his conscious  
possession and he came to be implicated based on the fact that  
he is owner of the alleged seized motorcycle. It is next  
submitted that no prudent person would use his own vehicle for  
committing an occurrence and thus would create evidence



against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that Ravi Kumar would misused the vehicle in the manner as alleged who was also apprehended from the spot.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court,I, Sitamarhi in connection with Riga P.S. Case No.455 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

**(Satyavrat Verma, J)**

Prakash Narayan

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