

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17890 of 2024

Arising Out of PS. Case No.-621 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Raushan Kumar Son Of Nandkishore Sharma Resident Of Village - Bari
Sankh, Ward No.09, P.S. - Muffasil, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshu Dhar Sharma, Advocate Mrs. namita Sharma, Advocate
For the Opposite Party/s	:	Mr. C. Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-03-2024 Heard Mr. Anshu Dhar Sharma, learned counsel for
the petitioner and Mr. C. Jawahar, learned APP for the State.

2. The petitioner seeks bail in Muffasil P.S. Case No.
621 of 2023, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 442.08 liters
liquor was recovered from the hutment (*Tat Foos hut*) of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern



with the alleged recovery of liquor. It is further submitted that hut in question does not belong to the petitioner whereas petitioner has a *pucca* house. The petitioner is in custody since 09.11.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released 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 Court below/concerned Court in connection with Muffasil P.S. Case No. 621 of 2023.

(Rudra Prakash Mishra, J)

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