

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19942 of 2024

Arising Out of PS. Case No.-601 Year-2023 Thana- NAGAR District- Vaishali

Kaushal Rai @ Kaushal Kumar Rai Son of Baleshwar Rai Resident of Vill.-
Lalpokhar, P.s.-Sadar Hajipur, Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 28-05-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection
with Hajipur Town P.S. Case No 601 of 2023 lodged on
01.08.2023 under Sections 414 of the Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, F.I.R. has been lodged
against four named accused persons including the present
petitioner and the subject matter of the recovery is 801.72 lts. of
the wine in the present case.

4. Learned counsel for the petitioner submits that
the petitioner has not been apprehended from the place of
occurrence but his name has come up in this case by virtue of
the conversational statement made by the apprehended accused
persons. He submits that the petitioner is in custody since



12.02.2024. There are two criminal cases pending against him about which wrong case number has been mentioned in the original petition. Therefore, petitioner has filed supplementary affidavit and indicated the correct case no. in supplementary affidavit. Learned counsel submits that the petitioner undertakes that in future he will not commit such mistake.

5. Learned counsel for the State opposes the prayer for bail.

6. In this background, let the petitioner above named be granted bail after framing of charge, if the charge is not framed as well as on being satisfied by the Trial Court that the petitioner is not absconding in (i) Sadar P.S. Case No. 833/2023 and (ii) Sadar P.S. Case No. 40/2024, on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1-cum- Additional Sessions Judge, Vaishali, Hajipur in connection with Hajipur Town P.S. Case No 451 of 2022 subject to the condition laid down under Section 437(3) of the Cr.P.C.

(Dr. Anshuman, J)

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