

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37594 of 2024

Arising Out of PS. Case No.-50 Year-2020 Thana- KARJA District- Muzaffarpur

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RAUSHAN KUMAR SON OF RAM PRAVESH SINGH RESIDENT OF
VILLAGE - PHULADH, P.S. - VAISHALI, DISTRICT - VAISHALI AT
HAJIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-07-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Karja P.S. Case no.50 of 2020 registered for the offence punishable under sections 272, 272 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received, a raid was conducted and it is stated that a total of 1136.88 litres of IMFL was recovered from the house of Anjani Das. Both Anjani Das and Dilip Das were arrested on the spot. It is further stated that Dilip Das informed that the petitioner, Arun Rai and Umesh Sahni had given him the seized IMFL for sale which he was selling.



4. Learned counsel for the petitioner submits that the name of the petitioner has transpired in the confessional statement of a co-accused made before police. No incriminating article has been recovered from his possession. The reason for the petitioner's false implication is his antecedents. The co-accused Arun Rai and Umesh Sahni have been enlarged on bail vide order dated 1.12.2020 passed in Cr. Misc. no.24273 of 2020 and order dated 15.1.2021 passed in Cr. Misc. no.23738 of 2020.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in th F.I.R., the material that has transpired in course of investigation as is evident from the order of the learned trial Court together with grant of bail to similarly situated co-accused namely Arun Rai and Umesh Sahni as mentioned herein above, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Karja P.S. Case no.50 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge,



Excise Court No.II, Muzaffarpur, subject to the conditions as
laid down under section 438(2) of the Code of Criminal
Procedure.

(Partha Sarthy, J)

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