

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40685 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- CHAUTHAM District- Khagaria

Roshan Kumar S/O Rajkumar Sharma R/O Village Karuamore P.S.
Chautham, Dist-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Budhilal Yadav, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Chautham P.S. Case No. 65 of 2024, registered on 10.03.2024, for the alleged offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

03. As per prosecution case, the police received secret information about two persons selling Corex (alcoholic substance) on a motorcycle. A raid was conducted and co-accused Jameendar Paswan was apprehended and another person fled away from the spot. The co-accused named the petitioner as escaped person. From the apprehended co-accused, recovery of 100ml x 9 (900 ml.) of Blurex-T cough syrup was made.



04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner has nothing to do either with the apprehended co-accused or with the seized cough syrup. The petitioner has been named by the co-accused due to previous enmity and there is no cogent material to connect the petitioner with the offences as alleged. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-I, Khagaria in connection with Chautham P.S. Case No. 65 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following



conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

