

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42908 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- CHORAUT District- Sitamarhi

Raushan Kumar, S/o Manoj Rai @ Manoj Kumar, R/o Village- Basotara, P.S.-
Choraut, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Choraut P.S. Case No. 21 of 2024 for the offence registered
under Sections 30 (A) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, on a secret information
police conducted raid and total 135 litres of illicit Nepali Saufi
wine has been recovered from jute bags which was being carried
by the petitioner and other co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case on the basis of disclosure made by the co-accused who
apprehended on the spot. He further submits that petitioner has
no concern with the seized liquor except the disclosure



statement of the co-accused, there is no material against the petitioner. Recovery is made from an open place i.e. on the road side near Upgraded Middle School. Petitioner has one criminal antecedent that does not belong to Excise Act.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Choraut P.S. Case No. 21 of 2024, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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