

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51960 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- KARAKAT District- Rohtas

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Raju Pasi @ Raju Kumar Choudhary @ Babudham, Son of Subash
Choudhary R/o- Village- Kushi, P.S.- Karakat, Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Karakat P.S. Case No. 69 of 2024 registered on 17.02.2024 for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. As per prosecution case, in a drive against trade of illicit liquor, a raid was conducted on the house of the petitioner and one person fled away from the spot seeing the police party. Recovery of 10 litres of country made liquor was made from the spot.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent has been falsely implicated in this case. Petitioner was not apprehended from the



spot and nothing incriminating has been recovered from his conscious possession. The recovery was made from an open place which is accessible to all. Petitioner has nothing to do with the seized liquor. Seizure list was not prepared as per the provision of Section 100 of Cr.P.C. Petitioner never indulged in trade of illicit liquor. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner coupled with his clean antecedent as well as possibility of false implication, let the petitioner named above, 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 Exclusive Special Judge Excise Court No.1, Rohtas at Sasaram/ court concerned, in connection with Karakat P.S. Case No. 69 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)

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