

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56555 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- VAISHALI District- Vaishali

Rishu Kumar @ Rishu Raj @ Sant Kumar Son of Awadhesh Prasad Singh
Resident of Vill- Fuladh, P.S.- Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Vaishali P.S. Case No. 88 of 2024 dated 11.03.2024, lodged under Sections 272, 273 of the Indian Penal Code read with section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against 8 named accused persons including the present petitioner. Total 193.68 *litres* of illicit liquor has been recovered which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the petitioner is not apprehended from the place of occurrence, rather, apprehended accused persons have



disclosed the name of the petitioner in this case. Counsel further submits that recovery has not been made from the petitioner's possession, rather, the said recovery of illicit liquor has been made from other accused persons. Counsel submits that the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him.

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

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 88 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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