

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62343 of 2024

Arising Out of PS. Case No.-174 Year-2024 Thana- MITHANPURA District- Muzaffarpur

Raushan Kumar @ Raja Kumar Son of Harendra Ray Resident of Village-
Bharat Mata Chawk, Mohalla-PO- Malighat, P.S.- Mithanpura, Distt.-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh, Adv

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mithanpura P.S. Case No. 174 of 2024 dated 09.06.2024 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act and Section 8(c), 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, total 7.020 litres of illicit foreign liquor and 7 grams of smack were recovered *from the jhola in possession of the petitioner.*

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged



recovered liquor. The seized contraband is less than the commercial quantity. The petitioner has three antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 10.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Mithanpura P.S. Case No. 174 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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