

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69387 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- SABAUR District- Bhagalpur

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RAUSHAN KUMAR @ ROUSHAN KUMAR S/O DHARMENDRA
YADAV NATURAL GUARDIANSHIP OF THE PETITIONER IS
DHARMENDRA YADAV. R/O VILLAGE- CHAUDHARYDIH,
(CHAUDHARIDIH) GORADIH, BASANTPUR, MIRJANHAT P.S-
LODIPUR, DISTT.- BHAGALPUR, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sabour (Goradih) P.S. Case No. 97 of 2023 registered on
16.02.2023 lodged under Sections 30(a), 32(I)(II), 41 of Bihar
Prohibition and Excise Act, 2018

3. As per the prosecution case, F.I.R. has been lodged
against four named accused persons including the petitioner
against whom there is a recovery of 242.80 litre of illicit liquor.

4. Counsel for the petitioner submits that petitioner is
neither driver nor the owner of the vehicle. He was apprehended
from the vehicle and he was not aware that liquor has been kept



in the vehicle.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 16.02.2023 having no criminal case pending against him.

6. Counsel further submits that one of the co-accused namely Chandradeo Kumar vide order dated 05.07.2023 in Cr.Misc. No. 39048 of 2023.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge if the charge is not framed yet* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court No. 2 in connection with Sabour (Goradih) P.S. Case No. 97 of 2023 , subject to the conditions laid down under Section 437 (3) of the Cr.P.C.

(Dr. Anshuman, J)

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