

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71598 of 2024

Arising Out of PS. Case No.-389 Year-2024 Thana- KARAKAT District- Rohtas

Raju Thakur, aged about 30 years, Male, Son of Brij Bihari Thakur, resident of Village -Biraini (Viraini), Police Station -Karakat, District -Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Karakat PS Case No.389 of 2024 dated 24.07.2024, instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 25 litres illicit wine kept in two buckets near Raghunathur Kali Mandir.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel for the petitioner further submits that one motorcycle was also seized from the place of occurrence and the petitioner is the *bonafide* owner of the said motorcycle. Further



submission is that nothing has been recovered from the motorcycle. Recovery has been made from the buckets kept near the Kali Temple and same does not belong to the petitioner. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram, in Karakat PS Case No.389 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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