

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76082 of 2024

Arising Out of PS. Case No.-435 Year-2023 Thana- GHOSI District- Jehanabad

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Raushan Kumar, S/O Arvind Sharma, R/O Village- Chhotki Akauna, P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar, Advoate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ghoshi P.S. Case No. 435 of 2023 dated 30.06.2023 instituted under Section 30(a) (d) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 24 litres of country made liquor and Almunium wine making equipment were recovered near the Payeen and Alang near Badhar and the accused persons fled away from the spot.

4. Learned counsel for the petitioner submits that the petitioner has no concern with the place of occurrence which belongs to Government land and is an open place easily access to general public. The petitioner has been falsely implicated in



this case due to village politics. He was neither present on the spot nor any incriminating articles have been recovered from the possession of the petitioner. Similarly situated accused persons have already been granted anticipatory bail vide order dated 31.08.2023 passed in Cr. Misc. No. 57362 of 2023. The petitioner has two criminal antecedents in which he is on bail. Petitioner undertakes to cooperate in the investigation and trial of this case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering 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) each with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No. 1, Jehanabad in Ghoshi P.S. Case No. 435 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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