

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81467 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- BASANHI District- Saharsa

ROUSHAN KUMAR @ RAUSHAN KUMAR @ ROSHAN KUMAR S/o
Subodh Yadav Resident of Village- Arsi, P.S.- Sonbarsa, District - Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate
		Ms. Meena Singh, Advocate
For the Opposite Party/s :		Ms. Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

5 17-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with Basnahi P.S. Case No. 124 of 2023 registered for the offence under Sections 25(1-B)a, 26, 35 IPC and 30(a), 41 of Bihar Prohibition and Excise Act.

3. As per allegation made in the F.I.R., the police has recovered 38 liters of illicit country made liquor, one smart phone and Rs. 1200/- in cash from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He is custody since 20.07.2023. Similarly situated co-accused person, namely, Man Kishore Sharma has been



granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 77938 of 2023 vide order dated 05.12.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Having heard learned counsel for the parties, perused the FIR, bail petition. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special (Excise) Judge, Saharsa in connection with Basnahi P.S. Case No. 124 of 2023.

(Ramesh Chand Malviya, J)

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