

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84186 of 2023

Arising Out of PS. Case No.-209 Year-2021 Thana- BIBHUTIPUR District- Samastipur

Raushan Kumar Arvind Ray Village Patailia, tole Badiya, Bujhauna Chowk,
P.S. Bibhutipur, Dist. Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 3097.080 liters of illicit liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner was not apprehended on spot and also nothing has been recovered from his conscious possession. He has no concern with the seized liquor. From where the recovery has been made, is in dilapidated condition and not in use. A statement has been made



in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person who is father of this petitioner has already been granted bail by another co-ordinate Bench of this Court vide Annexure-P/2 of this petition. Moreover, the petitioner is languishing in judicial custody since 09.10.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bibhutipur P.S. Case No. 209 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-01, Samastipur.

(Sunil Kumar Panwar, J)

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