

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86113 of 2023**

Arising Out of PS. Case No.-233 Year-2023 Thana- KALUAHI District- Madhubani

Rohit Kumar S/o Amindra Jha R/o VILLAGE-JHONJHI, P.S-ARER,  
DISTRICT-MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      11-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 272, 273/34 of the IPC and Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 108 liters of illegal Nepali liquor from an E-rickshaw, which was being driven by the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner was apprehended on spot. He submitted that the petitioner has no concern with the seized liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has got no



criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 03.11.2023.

5. The application for bail is opposed by learned APP for the State.

6. The petitioner is directed to deposit Rs. 5,000/- (Five thousand) in the account of concerned DLSA.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge, 2<sup>nd</sup>, Cum-Special Judge Excise Act, Madhubani in connection with Kuluahi P.S. Case No. 233 of 2023.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/- (Five thousand) by the petitioner in the account of concerned DLSA.

**(Sunil Kumar Panwar, J)**

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