

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15431 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- CHANPATIA District- West Champaran

Raushan Patel Son of Sri Dhanesh Patel Resident of Village - Puraina Gosai,
Ward No. 09, P.S. - Chanpatia, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-03-2025 Heard Mr. Sharad Kumar Verma, learned counsel for
the petitioner and Mr. Sanjay Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chanpatia P.S. Case No. 241 of 2024, F.I.R. dated 12.12.2024 for the offences punishable under Sections 274, 275 of B.N.S and 30(a) of Bihar Prohibition and Excise Act.

3. According to prosecution case, police on secret information, recovered 152.250 liters of country made liquor from bush.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that



petitioner's name transpired on the basis of disclosure by local chowkidar and similarly situated co-accused persons namely Awadh Patel and Dharmendra Patel have been granted anticipatory bail by this Court vide order dated 15.02.2025 in Cr.Misc No. 5630 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that illicit liquor was recovered from bush which is an open place and accessible to all and co-accused persons have been granted anticipatory bail, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-I, West Champaran, Bettiah in connection with Chanpatia P.S. Case No. 241 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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