

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.65024 of 2018**

Arising Out of PS. Case No.-160 Year-2018 Thana- RAGHUNATHPUR District- Siwan

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Abhisekh Kumar, S/o Surendra Prasad, Resident of Village- Raghunathpur, P.S.- Raghunathpur, District- Siwan.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Pandey  
For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2 31-10-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Raghunathpur P.S. Case No. 160 of 2018 registered for the offence punishable under Sections 272, 273, 308 of the Indian Penal Code and Section 30(A)/38(A)/41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation against petitioner is of recovery of 68.760 litres of foreign liquor from the stone chips kept in front of his house.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from conscious possession of the petitioner. Petitioner is also accused in another case bearing



Raghunathpur P.S. Case No. 192 of 2017 under Sections 341, 323, 307, 353, 504, 272, 273/34 of the Indian Penal Code and Sections 30/38/41(1) of Bihar Prohibition and Excise Act in which he is on bail. Petitioner is in custody since 04.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-II cum Special Judge, Excise, Siwan, in connection with Raghunathpur P.S. Case No. 160 of 2018 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

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