

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73857 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- GHOSWARI District- Patna

Niraj Ram @ Niraj Kumar (M), aged about 25 years, Son of Naresh Ram,
Resident of Village - Trimuhan, Police Station - Ghoswari, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection
with Spl. Case No. 4019 of 2019 (arising out of Ghoswari
P.S. Case No. 36 of 2019) registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner is that as per
the First Information Report the Police got a secret
information that petitioner along with other accused persons
were indulged in sale of illicit liquor and proceeded towards
the place of occurrence and recovered a total quantity of 25
liters of illicit *Mahua* liquor from the hut of the co -accused



Uttam Ram.

Learned counsel for the petitioner submits that petitioner has got no criminal antecedent and he has falsely been implicated by Police on the basis of mere secret information. Learned counsel further submits that from perusal of the seizure list it appears that illicit liquor has been recovered from the hut of the co- accused Uttam Ram and no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner. Learned counsel further submits that petitioner is in custody since 16.09.2019 and co -accused Uttam Ram has been granted bail by this court vide Cr. Misc. No. 65796 of 2019 on 16.10.2019.

Having regard to the submissions made by the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the premises belong to the petitioner and the co- accused has been granted bail by this court, I am inclined to enlarge the petitioner on regular bail.

Accordingly, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 20,000/-



(twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge – Excise, Patna in connection with Spl. Case No. 4019 of 2019 (arising out of Ghoswari P.S. Case No. 36 of 2019).

(Anil Kumar Sinha, J)

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