

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17008 of 2021

Arising Out of PS. Case No.-322 Year-2020 Thana- JAGDISHPUR District- Bhagalpur

RAHUL KUMAR Son of Ravindra Yadav Resident of Village- Pokhariya,
P.S.- Balia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Naresh Roy, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in connection with a case registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegations in the F.I.R, the petitioner who was driving the indigo car was taken into custody. It is stated that on search of the TATA 407 vehicle which was moving with the car, a total of about 844 litres of liquor was recovered.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession or vehicle. He has been falsely implicated in the case. He has no concern with the seized liquor or the vehicle from which it was



recovered. The petitioner is in custody since 14.9.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner not having any criminal antecedent and having remained in custody for nearly 11 months, the Court directs the petitioner to be enlarged on bail in connection with Jagdishpur P.S. Case no. 322 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Bhagalpur.

(Partha Sarthy, J)

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