

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25060 of 2021**

Arising Out of PS. Case No.-126 Year-2019 Thana- CHACKMEHSI District- Samastipur

RAVI CHAUDHARY @ RAVI KUMAR Son of Saravendra Chaudhary R/o
Nima Chakhaider, Chakmehsi, P.S.- Kalyanpur, District - Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Adv.
For the Opposite Party/s : Mr. Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 23-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 34 of the Indian Penal Code and section 47 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 58 cartons of IMFL was recovered and while the accused persons managed to escape, one of the accused namely, Md. Sharukh was caught at the place of occurrence. The said Md. Sharukh is stated to have disclosed the name of the petitioner as amongst the accused persons who managed to escape.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the



petitioner's possession nor was he arrested at the spot. The only material against him is the statement of a co-accused made before the police. The cause of false implication of the petitioner is his antecedent under the Bihar Prohibition and Excise Act, 2016. The petitioner is in custody since 21.9.2021 and chargesheet has been submitted in the case.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for one year, the Court directs the petitioner to be enlarged on bail in connection with Chackmehsi P.S. Case no. 126 of 2019 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 Additional District and Sessions Judge-II-cum-Special Judge, Excise, Samastipur.

(Partha Sarthy, J)

Bibhash/-

U			
---	--	--	--

