

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27543 of 2021

Arising Out of PS. Case No.-121 Year-2019 Thana- KATHAIYA District- Muzaffarpur

Baleshwar Ray Son of Bhikhar Rai Resident of Village - Aswari Banjariya,
P.S.- Kathaiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Kathaiya P.S. Case No. 121 of 2019 instituted for the offences under Sections 272, 273 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is in custody since 28.01.2021, charge-sheet has been submitted in the case and has got a criminal case against him as stated in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that allegation is of recovery of 4763.700 litres of liquor from a truck and the police apprehended the co-driver, Salman Khan



who disclosed the name of the main driver Raman and other persons who had boarded the truck but fled away on seeing the police.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and has been falsely implicated in this case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 28.01.2021, charge-sheet has been submitted in the case and he is not named in the F.I.R., let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Kathaiya P.S. Case No. 121 of 2019 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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