

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6799 of 2021

Arising Out of PS. Case No.-545 Year-2019 Thana- BARH District- Patna

NEERAJ KUMAR SON OF CHANDRADEO KUMAR R/O VILL.-
HARDAYAL BIGHA, P.S.- BELCHHI, DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-05-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Barh P.S. Case no. 545
of 2019 registered under section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per allegation in the FIR, on a secret information
having been received a raid was conducted. Seeing the police
personnel, it is stated that three accused persons managed to
escape. A total quantity of 57.45 litres of IMFL was recovered
from the possession of one Rahul Kumar, who took the name of



the petitioner and two others as the accused persons who had managed to escape.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the person or possession of the petitioner. There is no material against the petitioner except the confessional statement of a co-accused made before police. The cause of false implication of the petitioner is the pendency of two other cases under the Excise Act against the petitioner. The petitioner is in custody since 16.10.2020 and chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that the petitioner has antecedents under the Bihar Prohibition and Excise Act.

Having heard learned counsel for the parties and in the facts and circumstances of the case together with the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Barh P.S. Case no. 545 of 2019 (corresponding to Special Case no. 9961/2019) 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 Special Judge, Excise Act,
Patna.

(Partha Sarthy, J)

Spd/-

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