

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7909 of 2021

Arising Out of PS. Case No.-430 Year-2020 Thana- SITAMARHI District- Sitamarhi

NIRANJAN KUMAR @ NIRANJAN KUMAR SURIYA S/o Bhaglu Ram
R/o village- Sitamarhi (Purani Bazar), Ward No. 11, P.S.- Sitamarhi, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh No. 5

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-04-2021 Heard Mr. Santosh Kumar, learned counsel for the
petitioner and Mr. Arun Kumar Singh No. 5, learned counsel
appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Sitamarhi P.S. Case No. 430 of 2020 registered for the offence
under Section 414 / 34 of the I.P.C. and Section 30 (a), 36 of the
Bihar Prohibition and Excise Act, 2016.

The allegation as per the First Information Report is
that Police intercepted one Auto and one motorcycle and
recovered a total quantity of 135 liters of illicit liquor from the
said vehicles and arrested the driver of the tempo namely, Raj
Kumar Chaudhary, who disclosed the name of the petitioner.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case on the basis of disclosure made by the arrested co-accused / Raj Kumar Chaudhary who is allegedly the driver of the tempo from where the illicit liquor in question has been recovered. Learned counsel next submits that petitioner has got no criminal antecedent of similar nature of offence and referring to paragraph no. 10 of this petition learned counsel submits that the vehicles from where illicit liquor has been recovered do not belong to the petitioner. Learned counsel next submits that petitioner is in custody since 11.09.2020 and charge sheet has already been submitted in the matter.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that no illicit liquor has been recovered from the conscious possession or from the vehicle belonging to the petitioner, petitioner is in custody since 11.09.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge Excise Act,



Sitamarhi in connection with Sitamarhi P.S. Case No. 430 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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