

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10035 of 2021

Arising Out of PS. Case No.-188 Year-2020 Thana- MOKAMAH District- Patna

Neetish Ram Son of Pramod Ram @ Modi Ram Resident of Mor West, P.S-
Mokama, Dist.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh, Adv.

For the Opposite Party/s : Mr. Yogendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2021 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 Mokamah P.S. Case no.
188 of 2020 registered under section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information
having been received, when the Mahindra vehicle in question
was directed to stop for checking, the driver made an attempt to
escape and met with an accident. It is stated that the driver Pintu
Kumar was arrested and disclosed the name of the four persons
who had managed to escape which included the petitioner
herein. A total of 364.5 litres of country made liquor was



recovered from the vehicle.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the person or possession of the petitioner. He was not arrested at the spot. The only material against him is the inadmissible statement of a co-accused made before police. He has no criminal antecedent and is in custody since 28.11.2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent and 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 Mokamah P.S. Case no. 188 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 Special Judge, Excise, Patna.

(Partha Sarthy, J)

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