

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64117 of 2021

Arising Out of PS. Case No.-308 Year-2020 Thana- RAJPUR District- Buxar

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GUNJAN KUMAR @ GUNJAN CHAUHAN S/o Prashoti Chauhan @
Prasotim Singh R/o Village - Jalahara, P.S. - Rajpur, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a secret information having been received, a raid was conducted. It is stated that seven accused persons managed to escape and on search 371.520 litres of liquor was recovered. The informant named five persons including the petitioner herein as also 4 to 5 unknown persons as accused.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Although the petitioner has been named as one of the accused at the end of the statement of the informant, however, in the entire FIR no allegations have been made against him as to whether he



was present even near the place of occurrence. He has been falsely implicated in the case because of his antecedent. He is in custody since 4.9.2021 and charge sheet has been submitted in the case.

Two supplementary affidavits have been filed which are taken on record. One supplementary affidavit mentions about the marriage of the sister of the petitioner which is scheduled to be solemnized on 12.12.2021 and the other relates to correction of typographical error which has occurred in paragraph no. 3 of the main petition.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the submissions made on behalf of the petitioner, the Court directs the petitioner to be enlarged on bail in connection with Rajpur P.S. Case no. 308 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 Additional Sessions Judge II-cum-Special Judge, Excise, Buxar.

(Partha Sarthy, J)

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