

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1843 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- SIMRI District- Buxar

=====

SRI NIWAS YADAV SON OF TAMTAM YADAV R/O VILLAGE-
DUDAULI, P.S.- SIMRI, DISTRICT- BUXAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2022 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 information having been received, a raid was conducted. Seeing the police personnel five accused persons made an attempt to escape. Coaccused Rajiv Rai was arrested and a total of 475.2 litres of liquor was recovered. It is further stated that the arrested accused disclosed the names of the four accused persons who had managed to escape and which included the petitioner herein.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case



because of his antecedent. Neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He is in custody since 15.9.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot together with the petitioner having remained in custody for over 8 months and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Simri P.S. Case no. 120 of 2021 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 A.D.J.II-cum-Special Judge, Excise, Buxar.

(Partha Sarthy, J)

Bibhash/-

U			
---	--	--	--

