

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10209 of 2022**

Arising Out of PS. Case No.-508 Year-2021 Thana- GOPALPUR District- Bhagalpur

Niranjan Rajak Son of Mahendra Rajak Resident of Village - Tintanga karari,
P.s.- Gopalpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Gopalpur
P.S. Case No. 508 of 2021 registered for the offence under
Section 30(a)(b)(c) of the Bihar Prohibition and Excise Act,
2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.12.2021.

The allegation against the petitioner is to run away
from the place of occurrence, from where 25 liters of country
made liquor was recovered, on police raid.

Learned counsel appearing on behalf of the petitioner



submitted that nothing incriminating has been recovered from the conscious physical possession of the petitioner. It has also been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence and moreover, petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that nothing incriminating has been recovered from the conscious physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as the allegations against the petitioner is limited to run away from the place of occurrence, leading to no recovery coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Gopalpur P.S. Case No. 508 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 learned Special Excise Judge- 1st, Bhagalpur, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before



the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(ii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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