

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38155 of 2021**

Arising Out of PS. Case No.-86 Year-2021 Thana- MINAPUR District- Muzaffarpur

RAJ KISHORE KUMAR @ RAJ KISHORE S/O YOGENDRA RAY R/o
village- Dubha, P.S.- Minapur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ratneshwar Prasad, Ms.Nitu Kumari, Advocates.
For the Opposite Party/s :		Mr. Bal Mukund Pd. Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 18-01-2022 Heard Mr. Ratneshwar Prasad, learned counsel for

the petitioner and Mr. Bal Mukund Pd. Sinha, Additional Public

Prosecutor for the state through video conferencing.

Petitioner seeks regular bail in connection with
Minapur PS Case No. 86/2021 registered for the offence
punishable under Sections 272, 273, 420, 468, 471/34 of the IPC
and Section 30, 30(a), 41(i) of Bihar Prohibition of Excise Act.

The allegation, in a nut shell, is that the police on
getting a secret information that a consignment of illicit liquor
was being unloaded from a vehicle, proceeded towards the place
of occurrence and the petitioner along with others after seeing
the police party started fleeing away, however, one of them was
arrested, i.e., the petitioner. Upon search, the police recovered



675 litres of illicit foreign liquor from the mini bus.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police. He next submits that the petitioner is neither the owner nor the driver of the said vehicle from where the recovery has been made. Learned counsel further submits that petitioner has got no criminal antecedent and no illicit liquor has been recovered from his conscious possession or from the vehicle belonging to him.

Learned counsel also submits that petitioner is in custody since 17.03.2021, charge-sheet has been submitted and there is no likelihood that the trial will be concluded in near future due to existing pandemic.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 17.03.2021, charge-sheet has been submitted and the trial is not likely to be concluded in near future due to existing pandemic and no illicit liquor has been recovered from his conscious possession or from the vehicle belonging to him, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, RAJ KISHORE KUMAR @ RAJ KISHORE be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Minapur PS Case No. 86/2021.

(Anil Kumar Sinha, J)

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