

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39040 of 2021

Arising Out of PS. Case No.-310 Year-2018 Thana- BOCHAHAN District- Muzaffarpur

INDRAJEET KUMAR @ CHONHAR RAI Son of Bainath Rai Resident of
Village - Paranti, P.S. - Bochahan, District - Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 120B of the Indian Penal Code and sections 30(a), 38, 41, 44, 45, 47 and 48 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, it is stated that on a raid being conducted 1497.96 litres of liquor was recovered and two accused persons, namely, Hari Rai and Vivek Kumar were arrested. It is stated that they disclosed the names of the their seven accomplices who had managed to escape which included the petitioner herein.

It is submitted by learned counsel for the petitioner that by order dated 18.9.2020 (Annexure-1) passed in Cr. Misc. No. 21361 of 2020, on an application moved by this petitioner, he was directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 1 lac with two sureties of the like amount each. The petitioner being



financially unsound was unable to comply with the directions of furnishing bail bond of Rs. 1 lac. Finally as advised, not being able to fulfill the conditions led in the aforesaid order dated 18.9.2020, the petitioner did not surrender and was not enlarged on bail. He was subsequently remanded in the instant case on 4.3.2021. He has remained in custody for over 10 months. Chargesheet has been submitted in the case.

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 petitioner having remained in custody for over 10 months, the petitioner is directed to be enlarged on bail in connection with Bochahan P.S. Case no. 310 of 2018 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, Muzaffarpur.

(Partha Sarthy, J)

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