

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42801 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- RAJAPAKAR District- Vaishali

NAGENDRA KUMAR S/o Chandeshwar Prasad Singh R/o Village -
Bhaluee, P.S. - Rajapakar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rina Sinha

For the Opposite Party/s : Ms.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Rajapakar Police Station Case No. 102 of 2021, registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, in course of petrolling, reached near the N. H. 42 and saw one Mini TATA truck standing by the side of the road and when they reached near the truck, 4-5 persons started fleeing away, but one person was apprehended, who disclosed his name as Nagendra Kumar, i.e. the petitioner, and a total quantity of 1557 litres of illicit liquor was recovered from the truck in question.



Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and he has not committed any offence in the manner alleged. She further submits that the petitioner was going on a motorcycle in relation to his work and he has been implicated in this false case by the police. She further submits that the petitioner is neither the driver nor the owner of the said truck. She further submits that the petitioner is in custody since 09.04.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner is neither the driver nor the owner of the truck in question, he is in custody since 09.04.2021, charge sheet has already been submitted and there is no likelihood of the trial being concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand)



with two sureties of the like amount each to the satisfaction of
learned 2nd Additional Sessions Judge -cum- Special Judge,
Excise, Vaishali, at Hajipur, in connection with Rajapakar Police
Station Case No. 102 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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