

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48919 of 2021**

Arising Out of PS. Case No.-606 Year-2020 Thana- SARAIYA District- Muzaffarpur

PANKAJ RAY S/o LATE LAKHI RAY @ LAKHINDAR RAY R/o
VILLAGE-FATEHABAD, P.S-PAROO, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 17-02-2022 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 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on the truck being stopped for checking, it is stated that one of the accused Raushan Kumar was arrested at the spot while the other accused namely Sanjeev Singh managed to escape. Raushan Kumar who was caught disclosed that the petitioner and other accused persons were into the business of liquor.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that neither



the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. The cause of false implication of the petitioner is his antecedents. The only material against him is the statement of an accused made before police. The petitioner is in custody since 4.3.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the petitioner having remained in custody for more than 11 months, the Court directs the petitioner to be enlarged on bail in connection with Saraiya P.S. Case no. 606 of 2020 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 Act, Muzaffarpur.

(Partha Sarthy, J)

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