

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47412 of 2021

Arising Out of PS. Case No.-97 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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NIRAJ KUMAR Son of Mahesh Das @ Mahendra Das Resident of Mohalla -
Azad Nagar, Bhuli, P.S. bank More (Bagmore), District - Dhanbad
(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Veer, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-02-2022 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 section 30(a) and
section 56B of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 630 litres of liquor
was recovered from the vehicle of which the petitioner is said to
be the *khalasi*.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. He is
in custody since 10.3.2021 and has no criminal antecedent.
Chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P.



for the State who submits that the petitioner is resident of outside the State of Bihar.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent and having remained in custody for over 10 months, the Court directs the petitioner to be enlarged on bail in connection with Excise Case no. 97 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 the learned Additional Sessions Judge-II-cum-Special Judge (Excise Act), Gaya on the following conditions:

1. One of the bailor of the petitioner shall be his close relative.
2. The other bailor of the petitioner shall be resident of a place within the jurisdiction of the learned trial Court.

(Partha Sarthy, J)

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