

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54445 of 2021

Arising Out of PS. Case No.-121 Year-2021 Thana- KOCHAS District- Rohtas

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BHAIYA RAM Son of Sri Awadhesh Ram Resident of Village - Durgapur,
P.S. - Sasaram (m), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Ms.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Kochas Police Station Case No. 121 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 intercepted one santro car and
recovered 190.8 litres of illicit liquor from the same.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely
because the car was being driven by him. He further submits
that from perusal of the First Information Report, it would be
evident that the statement of the petitioner was recorded by the



police official, in which the petitioner has stated that he was driving the car at the instance of co-accused Jayant Bhagat and Chandan Ram. He next submits that the petitioner was not aware that illicit liquor was being kept inside the car by co-accused persons and the petitioner has got no criminal antecedent of similar nature of offence. He further submits that the petitioner is in custody since 21.07.2021 and charge sheet has been submitted against him 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 not the owner of the santro car, charge sheet has already been submitted and the petitioner is in custody since 21.07.2021, having no criminal antecedent of similar nature of offence, 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 bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge,



Excise, Rohtas, at Sasaram, in connection with Kochas Police
Station Case No. 121 of 2021.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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