

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55174 of 2021

Arising Out of PS. Case No.-184 Year-2021 Thana- SIRDALA District- Nawada

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HARI RAJBANSHI S/O Late Andhu Rajbanshi R/o Village - Gondpur, P.S.-
Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a), 30(d) and 41 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on information having been received and a raid being conducted 80 litres of liquor besides fragmented liquor etc. as stated in the FIR was recovered. The accused persons managed to escape. On disclosure by the villagers and the local Chaukidar, the petitioner was identified amongst the five accused persons who had managed to escape.

It is submitted by learned counsel for the petitioner that a supplementary affidavit is being filed stating therein about the error committed in paragraph no. 3 of the petition wherein



one of the cases under section 30(a) of the Bihar Prohibition and Excise Act, 2016 in which the petitioner is an accused was not mentioned. The affidavit is taken on record.

On merits it is stated that the petitioner has been falsely implicated in the case because of his antecedent. He was not arrested at the spot. He is in custody since 12.8.2021 and 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 allegations in the FIR wherein the petitioner was not arrested at the spot nor any incriminating article has been recovered from his possession, the petitioner is directed to be enlarged on bail in connection with Sirdalla P.S. Case no. 184 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, Gaya.

(Partha Sarthy, J)

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