

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57519 of 2021

Arising Out of PS. Case No.-10 Year-2019 Thana- DEHRI TOWN District- Rohtas

JANESHWAR SINGH Son of Late Chhathu Singh Resident of village -
Gopibigha, P.S.- Dehri Muffasil, Distt.- Rohtas (Sasaram).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.K.Shahi, Sr. Adv.

Mr. Vikas Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-04-2022 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), 38(i)(ii) and 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on information having been received on telephone about large quantity of liquor having been stored in the factory premises of the petitioner, the police personnel proceeded to verify the same. It is further submitted that on reaching the place of occurrence, the petitioner was present and on his direction, and on search a total of 27360 bottles of liquor was found. It is further stated that on enquiry it transpired that one Prince Kumar son of Arun Kumar Yadav was involved in the business of liquor.

It is submitted by learned Senior Counsel appearing



for the petitioner that from the FIR itself it would transpire that the so called recovery had taken place on the information provided by the petitioner who was present at the time and place of recovery. The FIR was registered and the petitioner was a seizure list witness. The FIR was registered on 5.1.2019. Subsequently in course of investigation, the petitioner has been falsely implicated in the case and taken into custody on 3.4.2021, for oblique reasons which is evident from the material brought on record.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material on record specially the contents of the FIR, the petitioner having remained in custody in the instant case for over 1 year and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Dehri Town P.S. Case no. 10 of 2019 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 Session Judge 2nd -cum-Excise, Rohtas at Sasaram.

(Partha Sarthy, J)

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