

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62444 of 2021

Arising Out of PS. Case No.-98 Year-2021 Thana- RAMPUR District- Gaya

Itu Kumar @ Bantha Son of Munna Kumar @ Munna Kahar @ Munna Prasad Resident of village - Gewal Bigha, Dom Toli Talab Par, Police Station - Rampur and District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-01-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual court proceedings.

The petitioner seeks regular bail in connection with Rampur P.S. Case No. 98 of 2021 (CIS No. 604 of 2021) instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is in custody since 11.08.2021, charge-sheet has been submitted in the case and he has antecedent of three cases as mentioned in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that allegation is of recovery of 30 litres of liquor from accused who disclosed that the same was to be delivered to the petitioner.



Learned counsel for the petitioner submits that admittedly, the petitioner has not been arrested from the place of occurrence and his name transpired in the confessional statement of co-accused which has no evidentiary value in the eyes of law. It is further submitted that based on the criminal antecedent of the petitioner, police falsely implicated him in the present case.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 11.08.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya in connection with Rampur P.S. Case No. 98 of 2021 (CIS No. 604 of 2021) with a condition that one of the bailors shall be the father of the petitioner (Munna Kumar @ Munna Kahar @ Munna Prasad).

(Satyavrat Verma, J)

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