

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63031 of 2021

Arising Out of PS. Case No.-311 Year-2021 Thana- BIDUPUR District- Vaishali

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ROHIT KUMAR @ CHUN CHUN S/o Sarvesh Rai @ Sarvesh Ray Resident
of Village- Amer, at present Nawanagar, Near Potiya, P.S.- Bidupur, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocatre

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-02-2022 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 414 of the
Indian Penal Code and section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per the prosecution case, 269.64 litres of IMFL
and 90 litres of cane beer was recovered from a car and the
petitioner was taken into custody.

It is submitted by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in
the case. No incriminating article has been recovered from his
possession. He has no concern with the seized liquor nor is the



petitioner owner of the car from which it was recovered. The petitioner is in custody since 30.6.2021 and has no criminal antecedent. It is further submitted that a supplementary affidavit has been filed in the case stating therein about the death of the grand father of the petitioner on 29.1.2022.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Bidupur P.S. Case no. 311 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 Addl. Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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