

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63976 of 2021**

Arising Out of PS. Case No.-105 Year-2021 Thana- BALIYA District- Begusarai

=====

RUPESH KUMAR S/O SANJAY YADAV R/o village- Pokharia Bari Balia,
P.S.- Balia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad, Adv.

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

=====

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 18-04-2022 Heard learned counsel for the parties.

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

As per the prosecution case, on a raid being conducted while accused Robin Kumar was caught, he disclosed that the two accused persons who fled away were Ashok Kumar and Raja Yadav.

It is submitted by learned counsel for the petitioner that from the contents of the petition together with the order of the learned trial Court it would transpire that the petitioner is not named in the FIR. The name of the petitioner transpired in course of investigation in paragraph nos.94 and 107 of the case diary wherein he is said to be in contact with the coaccused



Ravish Kumar in whose confessional statement the name of the petitioner transpired. No incriminating article has been recovered from the petitioner's possession. He is in custody since 21.6.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent and having remained in custody for over 9 months, the Court directs the petitioner to be enlarged on bail in connection with Balia P.S. Case no. 105 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, Excise Act, Begusarai.

(Partha Sarthy, J)

Bibhash

U			
---	--	--	--

