

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65204 of 2021**

Arising Out of PS. Case No.-469 Year-2021 Thana- BARACHATTI District- Gaya

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OM PRAKASH KUMAR Son of Shyamnandan Yadav @ Shyam Nandan Prasad Resident of Village- Hawalpura (Havanpura), P.S.- Rahui, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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

2 21-01-2022 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 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 63 litres of IMFL is said to have been recovered from the Scorpio vehicle wherein the three accused persons including the petitioner herein were present.

It is submitted by learned counsel for the petitioner that the no incriminating article has been recovered from the petitioner's possession. He has been falsely implicated in the case. He is in custody since 12.8.2021 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 especially the petitioner not having any criminal antecedent and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Barachatti P.S. Case no. 469 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, Gaya.

(Partha Sarthy, J)

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