

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66456 of 2021

Arising Out of PS. Case No.-217 Year-2021 Thana- WARISNAGAR District- Samastipur

KRISHNA KUMAR RAI Son of Shivji Rai Resident of Village - Purnahi,
P.S. - Warisnagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-04-2022 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, 909 litres of IMFL was recovered from the pickup van while the driver of the said vehicle managed to escape.

It is submitted by learned counsel for the petitioner that from the contents of the FIR it would transpire that 909 litres of IMFL was recovered from the pickup van and in course of investigation 6.375 litres of IMFL was recovered. The name of the petitioner transpired in course of investigation in paragraph nos. 16 to 18 of the case diary. No incriminating article has been recovered from the petitioner's possession who



is in custody since 4.9.2021 and has been falsely implicated in the case because of his antecedents under the Bihar Prohibition and Excise Act, 2016. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, no incriminating article having been recovered from the petitioner's possession together with the investigation in the case having concluded, the petitioner is directed to be enlarged on bail in connection with Warisnagar P.S. Case no. 217 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, Samastipur.

(Partha Sarthy, J)

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