

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69546 of 2021

Arising Out of PS. Case No.-369 Year-2021 Thana- MAHUA District- Vaishali

NIRAJ KUMAR S/o- Late Bisheshwar Rai Resident of Village- Madhopur,
P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pratima Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-02-2022 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 sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, information was received by the police personnel about the named accused persons including the petitioner herein unloading consignment of liquor from the vehicles. On reaching the place of occurrence it is stated that the accused persons taking benefit of the darkness managed to escape. A total of 2023.56 litres of liquor was recovered.

It is submitted by learned counsel for the petitioner



that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. The cause of his false implication is his antecedents. He is in custody since 31.7.2021 and charge sheet 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, the petitioner not having been arrested at the spot and having remained in custody for more than 6 months, the Court directs the petitioner to be enlarged on bail in connection with Mahua P.S. Case no. 369 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 Spl. Judge, Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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