

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58729 of 2022

Arising Out of PS. Case No.-289 Year-2022 Thana- NARPATGANJ District- Araria

Raja Kumar, Son Of Shri Pradeep Chandra Chel, R/O Pipra Bazar, Ward
No.14, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Narpatganj P.S. Case No. 289 of 2022
registered for the alleged offences under Sections 272 and 273
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per prosecution case, a pick-up van was chased
and intercepted when it overturned and on search, total 648
litres of Nepali liquor was recovered. The driver of the said
vehicle was apprehended and disclosed the name of the
petitioner along with other co-accused persons who were



escorting the pick-up van from behind by a Tata Safari Car. When the police intercepted the said Tata Safari Car, the petitioner and other co-accused persons were apprehended.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case being the driver of the vehicle in question. Otherwise the petitioner has no concern either with the seized illicit liquor or the vehicle from which the recovery has been shown. Other similarly placed co-accused persons have been granted bail by different Co-ordinate Benches of this Court vide order dated 27.09.2022 passed in Cr. Misc. No. 43680 of 2022, order dated 30.09.2022 passed in Cr. Misc. No. 49992 of 2022, order dated 30.09.2022 passed in Cr. Misc. No. 49201 of 2022, order dated 16.09.2022 passed in Cr. Misc. No. 48327 of 2022 and order dated 17.10.2022 passed in Cr. Misc. No. 53031 of 2022. The petitioner is in custody since 24.06.2022 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the grant of bail to similarly placed co-accused persons and further considering the fact that no recovery has been shown from the petitioner coupled with his period of custody and submission of charge-sheet, the petitioner above named is directed to be



released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Judge Excise-I, Araria/court concern in connection with Narpatganj P.S. Case No. 289 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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