

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.975 of 2022

Arising Out of PS. Case No.-436 Year-2021 Thana- FORBESGANJ District- Araria

RAJA RAJBHAR S/o- Hiralal @ Hiralal Rajbhar Resident of Village-
Dalkola, Ward No. 5, P.S.- Dalkola, District- Uttar Dinajpur (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 30(a) and
38(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 594 litres of liquor was
recovered from the pick-up van of which the petitioner was the
driver.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his
possession or from his vehicle. He has been falsely implicated
in the case. He is in custody since 20.6.2021 and has no criminal
antecedent.

The application for bail is opposed by learned APP



for the State who submits that the petitioner is a resident of outside the State of Bihar and once he is enlarged on bail he will not cooperate in the trial.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner not having any criminal antecedent and having remained in custody for more than 11 months, the Court directs the petitioner to be enlarged on bail in connection with Forbesganj (Simraha) P.S. Case no. 436 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 2nd Addl. Sessions Judge -cum-Special Judge, Araria subject to the following conditions :

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

(ii) The other bailor of the petitioner shall be resident of a place within the jurisdiction of the learned trial Court.

(Partha Sarthy, J)

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