

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71352 of 2022

Arising Out of PS. Case No.-91 Year-2021 Thana- ARARIA District- Araria

Navneet Kumar @ Navnit Kumar Son Of Late Anil Kumar Gupta R/O Vill.-
Chaudhra Hardi Ward No. 02, Ajan Tola, P.S.- Supaul, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patla Kumari

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Araria (Bairgachhi) P.S. Case No. 91 of 2021 registered under sections 30(a) of the Bihar Prohibition of Excise Act, 2016.

Prosecution case in short is that on the basis of secret information, police team started search operation near Bhangia diversion. After sometimes, they saw a pickup van is coming towards Bengal, they caught the said vehicle. Two persons were present in the said vehicle and on search 603 liters of foreign made liquor of different brands were recovered and the apprehended disclosed the name of the



petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner came in the F.I.R. on the basis of confessional statement of the apprehended co-accused persons before the police. As a matter of fact, the petitioner was in custody earlier in Kishunpur P.S. Case No. 310 of 2020 on 16.12.2020 to 04.02.2021 but the present case was lodged on 26.01.2021, hence, he was not present at the place of occurrence on alleged date. It is further submitted that petitioner has no concern with the alleged recovery of illicit liquor. Moreover, the petitioner is languishing in judicial custody in this case since 24.08.2022.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Araria (Bairgachhi) P.S. Case No. 91 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 Exclusive Spl. Judge. Excise-1, Araria.

(Sunil Kumar Panwar, J)

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