

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70219 of 2022**

Arising Out of PS. Case No.-125 Year-2022 Thana- DARIHAT District- Rohtas

NIRAJ KUMAR @ NIRAJ KUMAR SINGH @ NEERAJ SINGH S/o Raj
Bhadur Singh @ Swarnmala Singh R/v- Chandauli Nagar, P.S.- Alingar,
District- Chandauli (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar,Adv.

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

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 09-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Darihat P.S. Case No.125 of 2022, registered for the offences punishable under Sections 272/ 273/ 419/ 420/ 467/ 462/ 471/ 120B/ 34 of the Indian Penal Code along with Sections 30 (a), 31(i)(ii), 36, 41 and 45 of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 2232 litres of illicit liquor from a container and after the driver of the said vehicle was arrested, he



had disclosed the name of the other persons herein, who were having complicity in the matter, including that of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 16.08.2022. The learned counsel for the petitioner has further submitted that similarly situated co-accused persons have already been granted privilege of anticipatory bail/ regular bail, by co-ordinate Benches of this Court. It is also submitted that neither the petitioner is the owner of the truck in question nor he has been arrested from the spot.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the fact that neither the petitioner has been arrested from the spot nor he



is the owner of the vehicle in question, apart from the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court No.1, Rohtas at Sasaram in connection with Darihat P.S. Case No.125 of 2022.

(Mohit Kumar Shah, J)

kanchan/sonal-

U		T	
---	--	---	--

