

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53317 of 2024

Arising Out of PS. Case No.-852 Year-2021 Thana- ARARIA District- Araria

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Bhogendra Kumar Roy @ Yougendera Kumar Roy, S/o Late Surendra Roy,
R/o Village- Thekpura, Ward No 15, Police Station- Raniganj, District- Araria
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Excise Case no. 14905 of 2022, arising out of Araria P.S. Case no. 852 of 2021 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 909 litres of IMFL was recovered from the vehicle being driven by one Tauqir Alam in which co-accused Md. Abdullah was present.

4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. He was falsely implicated in the case on his name being taken by the above co-accused to the effect that the seized liquor belonged to this petitioner. The petitioner has no concern with the seized liquor nor with the F.I.R. named co-accused and has been falsely implicated in the



case only because of his antecedents. He is in custody since 25.5.2023.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, no incriminating article having been recovered from the petitioner's possession, the petitioner having remained in custody for more than 1 year since 25.5.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Araria P.S. Case no.852 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 Special Judge, Excise-I, Araria.

(Partha Sarthy, J)

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