

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3369 of 2020

Arising Out of PS. Case No.-171 Year-2019 Thana- PURAINI District- Madhepura

Satish Kumar Son of Muneshwar Yadav, Resident of Village - Mathahi, Ward No. 04, P.S. and Distt - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2020 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Purani P.S. Case No. 171 of 2019, corresponding to Excise Act Case No. 1042 of 2019 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1862 liters of illicit liquor from a pick-up van.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is further submitted that though the petitioner is accused in one other case, but he is on bail in the said case and he is languishing in custody since 17.12.2019. It is further submitted that the other co-accused persons have already been granted bail



by this Court and as far as the petitioner is concerned, his name has transpired in the present case only after the arrested co-accused persons had disclosed the name of the petitioner as the person, who was also their accomplice.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner coupled with the fact that no recovery has been made from the conscious possession of the petitioner and his name is stated to have transpired upon the confessional statement made by the co-accused person, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Madhepura in connection with Purani P.S. Case No. 171 of 2019 corresponding to Excise Act Case No. 1042 of 2019.

(Mohit Kumar Shah, J)

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