

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10718 of 2020

Arising Out of PS. Case No.-93 Year-2019 Thana- HULASGANJ District- Jehanabad

BABU SINGH @ RAUSHAN KUMAR Son of Late Ramniwas Sharma @
Chamaru Singh @ Niwash Sharma Resident of Village - Jaaru, P.S.-
Hulasganj, Dist.- Jehanabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance

For the Petitioner : Mr. Avinash Kumar Singh, Advocate

For the State : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 28-05-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Excise Case no. 796 of 2019 arising out of Hulasganj P.S. Case no. 93 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on secret information having been received, a team was constituted and a raid was conducted on a cabin. Taking benefit of the darkness, the accused persons managed to escape. On search, a total of 2597.76 litres of IMFL was recovered.

It is submitted by learned counsel for the petitioner that



no recovery as alleged has taken place. Even otherwise 9 litres of IMFL is stated to have been recovered from the motorcycle belonging to the petitioner. However, the petitioner was not arrested at the spot. So far as recovery of 2597.76 litres of IMFL from the cabin is concerned, the petitioner has no concern either with the cabin or with the seized liquor. The petitioner has no criminal antecedent and is in custody since 18.1.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having no criminal antecedent and being in custody since 18.1.2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Excise Case No. 796 of 2019 arising out of Hulasganj P.S. Case no. 93 of 2019 on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise cum Additional Sessions Judge II, Jehanabad.

(Partha Sarthy, J)

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