

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19141 of 2020

Arising Out of PS. Case No.-455 Year-2019 Thana- SAKRA District- Muzaffarpur

Uma Shankar Prasad @ Makhan Singh @ Makhhan Singh S/o Bhagwati Singh @ Bhagwati Charan Resident of Village- Machhahi, P.S.- Sakra, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2020 Heard learned counsel for the petitioner and learned APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Sakra P.S. Case No. 455 of 2019 registered for the offence under sections 272 and 273 of the Indian Penal Code and section 30(a) of the `Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information having been received of about 400 carton of IMFL being transported by a tractor, a raid was conducted. On seeing the police personnel, 4-5 accused persons managed to escape. No driver was found. It is further stated that a seizure list was prepared and the crowd which had gathered, disclosed the name



of four accused persons including the petitioner as those who had escaped.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and the name of the petitioner has been given due to village politics. No recovery has taken place from his possession. He has no criminal antecedent and is in custody since 14.11.2019.

The application for bail is 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 including the petitioner not having been arrested at the spot, he not having any criminal antecedent and being in custody since 14.11.2019, the court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sakra P.S. Case No. 455 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 Act, Muzaffarpur.

(Partha Sarthy, J)

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