

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 18935 of 2020

**Dilip Ram, Male aged about 28 years, son of Radha Ram, resident of village
Madhu Sareya, P.S. Manjhagarh, District Gopalganj**

.....Petitioner

Versus

The State of Bihar

.....Opposite Party

Appearance

For the Petitioner : Mr. Vyas Kumar Mishra, Advocate

For the State : Mr. Anand Mohan Prasad Mehta, APP

CORAM : HONOURABLE MR. JUSTICE PARTHA SARTHY

Oral Order

2 14.05.2020

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner who is in custody since 26.11.2019 has filed the instant application for grant of bail in connection with Manjhagarh P.S. Case no. 312 of 2018 registered under sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, in course of inspection of vehicles, on being given the signal to stop their vehicle the accused persons made an attempt to



escape. The accused were chased and caught and disclosed that the name of the person driving as Mukesh Singh. A total of about 257 litres of IMFL was recovered and the driver disclosed that the vehicle had been loaded with liquor by the petitioner.

It is submitted by learned counsel for the petitioner that the allegations as levelled against the petitioner in the FIR are false and concocted. Besides the statement of co-accused before police, there is no other material against him. The petitioner is in custody since 26.11.2019 and co-accused Mukesh Singh has already been granted bail vide order dated 13.12.2018 passed in Cr. Misc. no. 73750 of 2018.

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

Having heard learned counsel for the parties and taking into consideration that the petitioner is in custody since 26.11.2019 and grant of bail to the co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Manjhagarh P.S. Case no. 312 of 2018 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II-cum- Special Judge, Excise, Gopalganj.

(Partha Sarthy, J)

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