

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32938 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- KATRA District- Muzaffarpur

Vijay Kumar @ Vijay Singh S/o Late Parshuram Singh R/o village- Dhanaur,
P.S.- Katra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for regular bail has been filed by the petitioner in connection with Katra P.S. Case No.28 of 2020 registered 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, 138 litres of IMFL is stated to have been recovered from the agricultural filed belonging to the petitioner.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place. In any case of the matter, it is submitted that the alleged place of recovery is an open place not under the exclusive control of the petitioner.



Further the other co-accused persons who were also seen fleeing away along with the petitioner have been granted anticipatory bail, one of the orders of which has been brought on record as Annexure-2 to this petition. The petitioner is in custody since 12.8.2020.

The application for bail is opposed by learned APP for the State who submits that the petitioner has one case also under the Excise Act pending against him.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the place of recovery and the petitioner being in custody since 12.8.2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Katra P.S. Case No.28 of 2020 on his furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) 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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