

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35701 of 2020

Arising Out of PS. Case No.-248 Year-2019 Thana- BIBHUTIPUR District- Samastipur

BRAJESH KUMAR @ BRAJESH KUMAR SINGH son of Purshottam
Singh Resident of Village- Sakhmohan, P.S. Vibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-12-2020 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 Bibhutipur P.S. Case no. 248 of 2019 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, a raid was conducted. Seeing the police personnel, it is stated that 4 to 5 persons managed to escape. They were identified by the choukidar as the petitioner herein, Raushan Kumar, Mukesh Kumar besides others. Total of 336 litres of IMFL was recovered.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. He has been falsely implicated in the case only because of his antecedent. It is further submitted that the case of the petitioner stands on a similar footing to that of co-accused Mukesh Kumar



and Raushan Kumar who have been enlarged on bail vide different orders contained in Annexure 2 series to the petition. The petitioner is in custody since 30.8.2020 and investigation in the case has already concluded.

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

Having heard learned counsel for the parties and taking into consideration the grant of bail to co-accused and the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bibhutipur P.S. Case no. 248 of 2019 (Tr. no. 3829/2020) on furnishing bail bond of Rs.10,000/ (Rupees 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, Samastipur.

(Partha Sarthy, J)

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