

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12559 of 2021

Arising Out of PS. Case No.-7 Year-2020 Thana- VISHNUPAD District- Gaya

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SHUBHAM KUMAR S/O BIRENDRA SINGH R/O MOHALLA-
GODABARI, MEHANDI BAG, P.S-RAMPUR, DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar I, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Vishnupad P.S. Case no.
7 of 2020 registered under section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per allegation in the FIR, on a checking being
conducted 153 litres of country liquor was recovered from a
tempo being driven by one Md. Faizal Alam. It is stated that on
further inquiry he disclosed that the said liquor has to be
delivered to the petitioner.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the person or possession of the petitioner. He has no concern with the coaccused, the seized liquor nor with the vehicle in question. There is no material against him except the confessional statement of coaccused made before the police. He has been falsely implicated in the case because of his antecedent. He is in custody since 20.10.2020 and chargesheet has been submitted in the case.

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, the allegations in the FIR and the petitioner having remained in custody for 8 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Vishnupad P.S. Case no. 7 of 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 Special Excise Judge, Gaya.

(Partha Sarthy, J)

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