

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11818 of 2021**

Arising Out of PS. Case No.-138 Year-2020 Thana- KARJA District- Muzaffarpur

PAPPU SAH SON OF LT. NATHUNI SAH R/o village- Rautiniya, P.S.-
Karja, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 13-07-2021

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

The petitioner has filed the instant application for
grant of regular bail in connection with Karja P.S. Case no. 138
of 2020 registered under sections 272, 273 and 34 of the Indian
Penal Code and section 30 of the Bihar Prohibition and Excise
Act, 2016.

As per allegation in the FIR, the vehicle in question
was stopped and searched. A total of 390.420 litres of liquor was
recovered and the driver and his associate namely Santosh
Kumar and Shiv Kumar were taken into custody. It is further
stated that the accused persons disclosed that it was the
petitioner and one another who had asked them to deliver the
liquor.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. He
was neither arrested at the spot nor does he have any concern
with the seized liquor or the vehicle from which it was seized.



His false implication is for the reason that one of the accused arrested happens to be his son. He is in custody since 16.10.2020.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody for about 9 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Karja P.S. Case no. 138 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 Judge, Excise, Muzaffarpur.

(Partha Sarthy, J)

Prakash/-

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