

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15745 of 2021

Arising Out of PS. Case No.-606 Year-2020 Thana- SARAIYA District- Muzaffarpur

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SANJAY SINGH, Son of Harendra Singh @ Hargendra Singh, Resident of
Village- Fanda, P.S.- Paroo, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on the truck in question being stopped for checking it is stated that the two accused persons made an attempt to escape of which one Raushan Kumar was arrested and 8082.36 litres of IMFL was recovered. He disclosed the name of the accused who managed to escape as Sadip Singh. It is further stated that the said Kaushal Kumar took the name of three other accused persons including the petitioner herein as persons who were dealing in liquor.



It is submitted by learned counsel for the petitioner that he has been falsely implicated in the case. The only materials against him is the confessional statement of a co-accused made before the police. The petitioner is neither the owner, nor the driver or khalasi of the truck nor has any concern with the seized article. He has no criminal antecedent. He is in custody since 8.10.2020 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having any criminal antecedent together with the facts and circumstances of the case and the petitioner having remained in custody for over 10 months, the Court directs the petitioner to be enlarged on bail in connection with Saraiya P.S. Case no. 606/2020 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)

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