

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19054 of 2021

Arising Out of PS. Case No.-536 Year-2020 Thana- PHULPARAS District- Madhubani

Sobha Kant Singh son of Laxman Prasad Singh Resident of village- Nazirpur,
P.S.- Ujiarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani, Adv.

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-07-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Phulparas P.S. Case no. 536 of 2020 registered under sections 272, 273 and 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on the vehicle in question being stopped and checked it is stated that 764.625 litres of IMFL was recovered and the two accused persons including the petitioner herein who made an attempt to escape, were caught. The petitioner was the driver. It is stated that the liquor belongs to co-accused Amit Kumar.

Along with a supplementary affidavit filed on behalf



of the petitioner, the case was mentioned for out of turn hearing as the marriage of the daughter of the petitioner is fixed for 16.7.2021.

On merits, it is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the person or possession of the petitioner. The petitioner is in custody since 25.11.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent and being in custody for more than 7 months, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Phulparas P.S. Case no. 536 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

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(Partha Sarthy, J)

