

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18990 of 2021

Arising Out of PS. Case No.-285 Year-2020 Thana- BIBHUTIPUR District- Samastipur

SANDEEP KUMAR S/o Late Jagat Narayan Singh Resident of Village-
Kodariya Ward No. -01, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No. 1, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-09-2021 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 and 273 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegations in the FIR, it is stated that 4410 litres of IMFL was recovered from two vehicles i.e. a truck and a Bolero and three accused persons including Sanjay Kumar Bharti were taken into custody. It is further stated that a raid was conducted in the house of Sanjay Kumar Bharti where no incriminating article was recovered, however, a mobile phone belonging to the petitioner, who happens to be the brother of



Sanjay Kumar Bharti was recovered and the said mobile phone of the petitioner had been used by the accused Sanjay Kumar Bharti.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession who has been implicated in the case only because of his being brother of accused Sanjay Kumar Bharti who was arrested at the spot. The petitioner has no criminal antecedent and is in custody since 6.12.2020.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Bibhutipur P.S. Case no. 285 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, Samastipur.

(Partha Sarthy, J)

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