

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20601 of 2021**

Arising Out of PS. Case No.-245 Year-2020 Thana- BIBHUTIPUR District- Samastipur

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RUPESH KUMAR @ RUPESH KUMAR SINGH @ RUPESH SINGH S/O
RAM VINAY SINGH R/o village- Bhuswar, P.S.- Bibhutipur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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

2 23-09-2021 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 and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted, while the accused persons managed to escape a total of 5507.640 litres of liquor was recovered from a truck. Three of the accused persons including the petitioner herein were identified.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any



incriminating article has been recovered from his possession. The cause of false implication of the petitioner is his antecedent. The petitioner has no concern either with the seized liquor nor with the vehicle/truck in question. He is in custody since 9.12.2020 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for over 9 months, the Court directs the petitioner to be enlarged on bail in connection with Bibhutipur Excise Case no. 245 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, Samastipur.

(Partha Sarthy, J)

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