

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25005 of 2021**

Arising Out of PS. Case No.-521 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

UDAY TIWARI S/O MR. SHILA NATH TIWARI R/o village- Bishunpur
Kalyan, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritwik Thakur, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh 5, APP

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

2 22-09-2021 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 it is stated that while the three accused persons including the petitioner herein managed to escape, 256.950 litres of IMFL was recovered.

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 petitioner has no criminal antecedent under the Bihar



Prohibition and Excise Act, 2016. He is in custody since 9.1.2021 and chargesheet 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 of the case together with the petitioner not having been arrested at the spot nor any incriminating article having been recovered from his possession, the petitioner is directed to be enlarged on bail in connection with Sahebganj P.S. Case no. 521 of 2019 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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