

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38266 of 2021

Arising Out of PS. Case No.-368 Year-2020 Thana- MANJHI District- Saran

VISHAL SINGH @ BABUAJEE Son of Brij Bihari Singh Resident of
Village- Ekdengawa, P.S.- Manjhi, District- Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2021 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in connection Manjhi P.S. Case no. 368 of 2020 registered for the offence punishable under sections 399,402 of the Indian Penal Code read with sections 25(1-b)a, 25aa, 26 and 35 of the Act and section 30(a) of Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 9.3.2021, is person with clean antecedent and charge sheet has been submitted and from



perusal of the allegation as alleged in the FIR, it would manifest that the petitioner was not apprehended from the spot rather his mobile was recovered from the house of Sumit Singh which he had given as he was known to him, further as far as the allegation of recovery of 1.5 liter of liquor and arms and ammunition are concerned, that is from the house of Sumit Singh and co-accused who were present there. Learned counsel submits that petitioner was not apprehended at the spot and it is alleged that seeing the police he fled away as such nothing was recovered from his possession and he had kept his mobile to Sumit Singh which was recovered from there.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner is in jail custody since 9.3.2021 and charge sheet has been submitted and nothing has been recovered from his possession, petitioner is directed to be released on bail on furnishing bail bonds of Rs 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the ADJ II-cum-Special Judge, Excise Act, Saran at Chapra in Manjhi P.S. Case no. 368 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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