

Arising Out of PS. Case No.-152 Year-2020 Thana- RAJIVNAGAR District- Patna

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

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For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Special Case no. 3567 of 2020 arising out of Rajiv Nagar P.S. Case no. 152 of 2020 registered under sections 30(a) and 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on seeing the police personnel the accused persons made an attempt to escape. While three of them caught, it is stated that the petitioner herein managed to escape. A total of 250.56 litres of IMFL was recovered from near the Khatal of one Brij Narayan Yadav.

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.



His name has transpired in the confessional statement of a co-accused made before the police. It is submitted that other co-accused have been enlarged on bail vide order which are Annexure 2 series to the petition and the petitioner is in custody since 11.9.2020.

The application for bail is opposed by 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 being in custody since 11.9.2020 and investigation in the case having concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Special Case no. 3567 of 2020 arising out of Rajiv Nagar P.S. Case no. 152 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 Special Judge Excise, Patna.

(Partha Sarthy, J)

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