

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40880 of 2020

Arising Out of PS. Case No.-272 Year-2020 Thana- DANAPUR District- Patna

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Suman Kumar S/o Late Ramji Rai Resident of Chitrakut Nagar, Road No. 11B, Nasriganj, P.S. - Danapur, Distt. - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nagmani Kumar, Advocate
For the State : Mr. Anant Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Special Case no. 3339 of 2020 arising out of Danapur P.S. Case no. 272 of 2020 registered under section 30(a) of Bihar Prohibition of Excise Act, 2016.

As per allegation in the F.I.R., 702 litres of IMFL was recovered from three vehicles and an accused namely Imran Ansari was apprehended. Imran Ansari stated that Dharmendra Rai, Mithun and this petitioner who had all escaped had got the liquor and it was to be taken for being sold.

It is submitted by learned counsel for the petitioner that from the FIR itself it would transpire that the petitioner was



not caught at the spot. He has no connection with the seized vehicles nor with the incriminating articles. His name transpired in the confessional statement of co-accused made before the police. He has been falsely implicated because of his antecedents and is in jail custody since 14.09.2020. Charge sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the fact of the petitioner being in custody since 14.09.2020 and his name transpiring on the statement of co-accused made before police, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Special Case no. 3339 of 2020 arising out of Danapur P.S. Case no. 272 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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