

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5253 of 2021

Arising Out of PS. Case No.-294 Year-2020 Thana- BYPASS District- Patna

Suraj Pandey Son of Dharam Nath Pandey Resident of Village - Dhanao, P.S.-
Baniyapur, District - Saran, At present resident of Mohalla Bhootnath Road
Near Hanuman Mandir 6 M.F-3/99 B.H. Colony, P.S.- Agam Kuan, District -
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Adv.

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and
learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Patna By-pass P.S. Case
no. 294 of 2020 (Special Case no.5164 of 2020) registered
under sections 420, 120(B), 414, 467, 468 and 471 of the Indian
Penal Code and sections 30(a), 36 and 41(1) of the Bihar
Prohibition and Excise Act.

As per allegation in the F.I.R., 4815 litres approx of
IMFL was recovered from the truck in the godown of one Vivek
Kumar.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern either with the aforesaid Vivek
Kumar or with his godown nor with the seized article or the



truck or any vehicle present near the place of occurrence. It is submitted that the petitioner was taken into custody after the seizure was over and from the seizure list it would transpire that only a Samsung mobile phone is alleged to have been recovered from the possession of the petitioner. The petitioner is in custody since 4.9.2020 and 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 period in custody, the nature of goods seized together with the investigation in the case having concluded, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Patna By-pass P.S. Case no. 294 of 2020 (Special Case no.5164 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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