

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6612 of 2021

Arising Out of PS. Case No.-67 Year-2019 Thana- BASANTPUR District- Siwan

Sanjay Misra Son of Lalan Misra @ Lalan Mishra Resident of Village -
Samardah, P.S.- Basantpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-04-2021 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 Basantpur P.S. Case no.67 of 2019 registered under sections 272, 273, 308 and 34 of the Indian Penal Code and sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., a total of 731 litres of IMFL was recovered from an abandoned truck. While some accused persons were apprehended, some managed to escape. The petitioner was named as one of the persons who had managed to escape.

It is submitted by learned counsel for the petitioner that the allegations against the petitioner are false and incorrect.



He has been falsely implicated in the case because of his antecedents. No incriminating article has been recovered from his possession. His case stands on a better footing to that of a number of other co-accused who have been enlarged on bail vide orders which are Annexures-2 series to the petition. The petitioner is in custody since 10.10.2020.

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 facts and circumstances of the case including the period in custody, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Basantpur P.S. Case no.67 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 Additional Sessions Judge-II -cum-Special Judge (Excise), Siwan.

(Partha Sarthy, J)

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