

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8306 of 2021

Arising Out of PS. Case No.-263 Year-2019 Thana- KHODAWANDPUR District- Begusarai

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SUJEET KUMAR @ CHHOTU SON OF RAM DAYAL MAHTO
RESIDENT OF VILLAGE- FAFAUT, WARD NO. 1,P.S.
KHODABANDPUR, DISTRICT-BEGUSARAI.

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 27-05-2021 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 Khodawandpur P.S Case No. 263 of 2019 registered under sections 414, 272, 273, 120B and 34 of the Indian Penal Code and section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, while the petitioner and two other accused persons managed to escape, a total of 362.88 liters of IMFL was recovered.

It is submitted by learned counsel for the petitioner that neither the petitioner was caught at the place of occurrence nor any incriminating article has been recovered from his



possession. He has been falsely implicated in the case. He has no criminal antecedent and is in custody since 1.10.2020. Co-accused Ajeet Kumar, brother of the petitioner herein, has been enlarged on anticipatory bail vide order dated 7.7.2020 passed in Cr. Misc. No. 17378 of 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, the petitioner not having any criminal antecedent and grant of bail to co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Khodawandpur Police Station Case No. 263 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 Act, Begusarai.

(Partha Sarthy, J)

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