

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10118 of 2021**

Arising Out of PS. Case No.-41 Year-2020 Thana- AURAI District- Muzaffarpur

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DILIP SAH SON OF SRI KISHORI SAH R/O VILLAGE- PANAPUR, P.S.-
AURAI, DISTRICT- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Aurai P.S. Case no. 41 of 2020 registered under sections 272, 273 and 34 of the Indian Penal Code and sections 30(a), 38(i) and 38(ii) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated that secret information was received that the four accused persons including the petitioner herein were unloading illicit liquor for the purpose of sale. It is stated that on raid being conducted the accused persons managed to escape and a total of 505.410 litres of IMFL was recovered. The accused persons who had escaped



were identified, which included the petitioner herein.

It is submitted by learned counsel for the petitioner that the allegations as levelled against the petitioner in the FIR are false and concocted. Neither he was arrested at the spot nor any incriminating material has been recovered from his person or possession. He has no criminal antecedent and is in custody since 30.10.2020.

The application for bail is opposed by learned Additional Public Prosecutor 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, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Aurai P.S. Case no. 41 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, Muzaffarpur.

(Partha Sarthy, J)

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