

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36933 of 2021**

Arising Out of PS. Case No.-287 Year-2020 Thana- BIBHUTIPUR District- Samastipur

GANESH KUMAR @ GANESH SINGH @ BOGAN Son of Purusottam
Singh Resident of Village - Sakhmohan P.S. - Bibhutipur, Distt. - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 06-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, while the accused persons managed to escape, it is stated that about 2284 litres of liquor was recovered from the vehicle in question.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He has been falsely implicated in the case because of his antecedents. He is in custody since 7.3.2021 and chargesheet



has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not being arrested at the spot, his being in custody for more than 10 months and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Bibhutipur P.S. Case no. 287 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 2nd Additional Sessions Judge – cum – Special Judge Excise, Samastipur.

(Partha Sarthy, J)

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