

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36575 of 2021**

Arising Out of PS. Case No.-164 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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BRIJKISHORE PRASAD YADAV @ BRAJKISHOR PRASAD YADAV Son
of Late Anup Rai Resident of Village - Ekdari, P.S.- Chhauradano, Distt.- East
Champaran, the then S.I. Karja P.S.- Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Adv.

For the Opposite Party/s : Ms. Pronoti Singh, APP

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

4 28-02-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 272, 273,
120B and 34 of the Indian Penal Code and section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 4400 litres of spirit
was recovered from a truck in which the petitioner who happens
to be a Sub Inspector of Police posted in police station Karja in
the district of Muzaffarpur was also present.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. He is
in custody since 27.2.2021 and has no criminal antecedent.
Chargesheet has been submitted in the case.



Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having any criminal antecedent and having remained in custody for 1 year, the Court directs the petitioner to be enlarged on bail in connection with Sadar P.S. Case no.164 of 2021 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 Act, Muzaffarpur.

In view of the fact that the petitioner happens to be a Government servant and in fact, posted as a Sub Inspector of Police, Karja police station, District Muzaffarpur, let a copy of this order be communicated to the Senior Superintendent of Police, Muzaffarpur.

(Partha Sarthy, J)

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