

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36667 of 2021

Arising Out of PS. Case No.-90 Year-2021 Thana- BIBHUTIPUR District- Samastipur

SHASHI KUMAR @ SHASHIDEV KUMAR @ PACHKHURIYA S/O
RAM UDESH MAHTO @ RAM UPDESH MAHTO R/o village- Birsaiya @
Virsaahiya Singhia Buzurg South Ward No. 08, P.S.- Vibhutipur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-01-2022 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, on search of the vehicle in question, it is stated that 3960.72 litres of liquor was recovered. It is further stated that the petitioner was identified by the chowkidar while he was fleeing away.

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 no concern either with the seized liquor nor with the vehicle in question. The cause of his false implication is his antecedents. He is in custody since 4.4.2021 and 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 facts of the case, the petitioner not having been arrested at the spot and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Vibhutipur P.S. Case no.90 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 2nd Additional District and Sessions Judge-cum-Special Judge (Excise Act), Samastipur.

(Partha Sarthy, J)

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