

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40353 of 2021**

Arising Out of PS. Case No.-458 Year-2020 Thana- GARKHA District- Saran

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KANHAIYA KUMAR SINGH @ KANHAIYA Son of Harendra Singh  
Resident of Village - Badalpura, P.S.- Doriganj, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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

2      21-01-2022                      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 30(a), 36 and 41 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 356.25 litres of liquor was recovered from a truck. It is stated that on enquiry, it was disclosed by another accused who was traveling on a motorcycle along with the truck that the liquor in question was meant for three accused persons including the petitioner herein.

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. The only material against him is the statement of the coaccused



made before the police. He is in custody since 19.1.2021 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 facts of the case together with the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Garkha P.S. Case no. 458 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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra.

**(Partha Sarthy, J)**

Bibhash/-

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