

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41310 of 2021**

Arising Out of PS. Case No.-215 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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SHYAMBABU S/O KAILASH PASWAN R/O VILLAGE-ATRAULIA, P.S-
SARAIYA, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Anjana, Advocate

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 22-01-2022 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) and 33 (2) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, a total quantity of 2351.16 litres of IMFL is said to have been recovered from the truck in question and the driver Sunil Sah and the petitioner who is said to be the khalasi were taken into custody.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. Co-accused Sunil Sah has been enlarged on bail vide order



dated 21.10.2021 passed in Cr. Misc. no. 40942 of 2021. The petitioner is in custody since 26.5.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including grant of bail to the co-accused Sunil Sah and the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Excise Case no. 215 of 2021 (arising out of PR no. 5 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.

(Partha Sarthy, J)

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