

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44562 of 2021

Arising Out of PS. Case No.-379 Year-2020 Thana- BIBHUTIPUR District- Samastipur

GAURAV KUMAR @ BUTAN SON OF SHRI SANJIV KUMAR SINGH
Resident of Village - Pateliya, P.S.- Vibhutipur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Adv.
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-01-2022 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 information having been received, a raid was conducted and in the leechi orchard, liquor was seen being unloaded from the vehicle. A total of about 2816.640 litres of liquor was recovered but the accused persons managed to escape. The petitioner was identified amongst the accused persons who had managed to escape by the Choukidar.

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 antecedent. He is in custody since 14.6.2021 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 specially the petitioner not having been arrested at the spot nor any incriminating article has been recovered from his possession, the Court directs the petitioner to be enlarged on bail in connection with Vibhutipur P.S. Case no.379 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 Additional Sessions Judge II-cum-Special Judge, Excise, Samastipur.

(Partha Sarthy, J)

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