

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45848 of 2021

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

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VIRU KUMAR @ BIRU KUMAR Son of Ramdeo Singh Resident of Village
- Goriyari, P.S. - Tajpur, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 46899 of 2021

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

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MANOJ KUMAR SINGH S/O SONELAL SINGH R/o village- Chatwari
Belari, P.S.- Ujyarpur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 45848 of 2021)

For the Petitioner/s : M/s Apurva Kumar
Dilip Kumar Roy, Advocates

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

(In CRIMINAL MISCELLANEOUS No. 46899 of 2021)

For the Petitioner/s : M/s Apurva Kumar
Dilip Kumar Roy, Advocates

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-03-2022 Heard learned counsel for the parties.

The petitioners in both the applications have preferred these applications for grant of regular bail in connection with Ujyarpur P.S. Case no. 90 of 2021 registered under sections 414, 467, 468, 471, 420 and 34 of the Indian Penal Code and sections 30(a) and 41(i)(ii) of the Bihar Prohibition and Excise



Act, 2016.

As per the prosecution case, on a raid being conducted by the police personnel it is submitted that the accused persons started to flee away. However, two accused persons, the petitioners herein were caught. It is further stated that the driver of the truck also escaped. A total of 285.28 litres of IMFL was recovered.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. They were labourers hired for getting the goods from the truck and storing the same in the godown. They did not know the contents of the goods being unloaded. They are in custody since 5.4.2021 and have no criminal antecedent. Chargesheet has been submitted in the case.

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

A report was called for with respect to both the petitioners. As per the report received from the concerned Superintendent of Police, the petitioners have no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioners not having any criminal antecedent and having remained in custody



for more than 11 months, both the petitioners are directed to be enlarged on bail in connection with Ujiyarpur P.S. Case no. 90 of 2021 on each of them 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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