

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45855 of 2021

Arising Out of PS. Case No.-135 Year-2021 Thana- GAIGHAT District- Muzaffarpur

SUMIT KUMAR S/o Virendra Kunwar @ Virendra Singh Resident of
Village- Loma, P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-02-2022 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, 274, 414 and 34 of the Indian Penal Code and sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted 558.7 litres of IMFL was recovered from the truck and the driver of the truck was taken into custody. A number of persons who were standing nearby managed to escape. The petitioner was identified by the Chowkidar as amongst the person who had escaped.

It is submitted by learned counsel for the petitioner that neither any incriminating article has been recovered from



his possession nor has he been arrested at the spot. He has neither any concern with the vehicle in question nor with the seized article. He is in custody since 3.6.2021 and has no criminal antecedent.

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 not having any criminal antecedent and having remained in custody for over 7 months, the Court directs the petitioner to be enlarged on bail in connection with Gaighat P.S. Case no. 135 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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