

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47199 of 2021**

Arising Out of PS. Case No.-139 Year-2021 Thana- MANIGACHI District- Darbhanga

SUNIL KUMAR Son of Lae Deokicharan @ Devi Charan Resident of Village
- Saidpur, P.S.- Kariyawa, Distt.- Hardoi (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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

2 08-02-2022 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, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 1278 litres of IMFL was recovered from the truck of which the petitioner was the driver.

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 or from the vehicle in question. He is in custody since 13.6.2021 and has no criminal antecedent. Chargesheet has been submitted



in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner was caught along with the liquor and that he is resident of outside the State of Bihar.

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 G.O. Case no. 676 of 2021 (arising out of Manigachi P.S. Case no.139 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 2nd Additional Sessions Judge-cum-Special Judge (Excise), Darbhanga on the following conditions:

1. One of the bailor of the petitioner shall be his close relative.
2. The other bailor of the petitioner shall be resident of a place within the jurisdiction of the learned trial Court.

(Partha Sarthy, J)

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