

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50858 of 2021

Arising Out of PS. Case No.-164 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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SANJEEV SINGH @ SANDEEP KUMAR CHOUDHARY Son of Late
Mukti Nath Choudhary Resident of Village - Hata Baksha, P.S.- Sugauli,
distt.- East Champaran , Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Preety Kunwar, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273, 120B and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 4400 litres of spirit was recovered and the driver of the truck in question was taken into custody. On inquiry the co-driver of the truck disclosed that spirit was meant for the other named accused persons including the petitioner herein.

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.



The only material against him is the statement of the co-driver made before police. He has no concern with the spirit in question. The cause of his false implication is his antecedents. He is in custody since 22.6.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the nature of allegation, the petitioner being in custody for more than 8 months and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Sadar P.S. Case no. 164 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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