

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55030 of 2021

Arising Out of PS. Case No.-215 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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SUDHIR SINGH @ SUDHIR KUMAR S/o LATE UMESH SINGH R/o
VILLAGE-CHHITARI, P.S-SARAIYA, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on information having been received a raid was conducted and 2351.16 litres of IMFL was recovered being unloaded from a truck. While the other accused persons managed to escape, the driver and khalasi of the truck were taken into custody and they disclosed that the goods were being brought on the direction of the petitioner.

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 no concern with the seized liquor nor with the truck in question. The only material against him is the statement of the co-accused made before police. The cause of his false implication is his antecedent. He is in custody since 21.7.2021 and chargesheet 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 petitioner being in custody for more than 8 months , not having been arrested at the spot and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Excise Case no. 215 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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