

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57336 of 2021

Arising Out of PS. Case No.-192 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

DINKAR KUMAR S/O SRI MISHRI LAL MAHTO R/o village- Runni
Saidpur, P.S.- Runni Saidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-04-2022 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 41 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 81.75 litres of liquor was recovered from the tempo and the driver of the tempo was taken into custody. It is stated that two other accused persons on a motorcycle who were accompanying the tempo managed to escape. The driver of the tempo disclosed that the liquor belonged to the two persons on the motorcycle who had escaped which included 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-accused made before police. The cause of false implication of the petitioner is his antecedent. He is in custody since 28.7.2021 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 together with the petitioner having remained in custody for 8 months and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Runni Saidpur P.S. Case no. 192 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 Additional Sessions Judge II – cum – Special Judge, Excise, Sitamarhi.

(Partha Sarthy, J)

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