

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65239 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- DEODHA District- Madhubani

SANJAY SINGH S/o Yogendra Singh R/o Village - Baluatol, Ward No.-9,
P.S.- Kaluahi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.
For the Opposite Party/s : Mr. K.Kishore, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273, 414 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on five motorcycles being signalled to stop for checking, it is stated that the accused persons abandoned their motorcycles and made an attempt to escape. While four accused persons escaped, accused Deepak Kumar was arrested. 150 litres of liquor was recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Neither was he arrested at the spot nor any incriminating article recovered from his possession. The cause of his false



implication is the statement of the accused who was caught namely Deepak Kumar who happens to be the son of the petitioner and the motorcycle in question was registered in the name of this petitioner. The petitioner is in custody since 26.9.2021 and has no antecedent under the Bihar Prohibition and Excise Act, 2016.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, chargesheet having been submitted in the case, the petitioner not having been arrested at the spot and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the Court directs the petitioner to be enlarged on bail in connection with Deodha P.S. Case no.28 of 2020 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 District Judge II-cum-Special Judge, Excise Act, Madhubani.

(Partha Sarthy, J)

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