

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67268 of 2021

Arising Out of PS. Case No.-579 Year-2021 Thana- KANTI District- Muzaffarpur

SUNIL KUMAR S/o- Late Kodai Bhagat Resident of Village- Bakhari, P.S.-
Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Pandey, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399 and 402 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, an Alto car and a Wagon R car were stopped for search. Five accused persons including the petitioner herein were taken into custody. A total of 4.5 litres of liquor besides cash etc. were recovered. It is further stated that on search, a loaded country-made pistol with a live cartridge was recovered from possession of Subodh Kumar while a loaded country-made pistol with a live cartridge was recovered from possession of Kundan Kumar.



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 the petitioner's possession who is in custody since 11.9.2021 and investigation in the case has concluded. Co-accused Kundan Kumar and Subodh Kumar have been enlarged on bail vide order dated 18.4.2022 passed in Cr. Misc. no. 64118 of 2021 and Cr. Misc. no. 70917 of 2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having any criminal antecedent, having remained in custody for 7 months and grant of bail to the above named co-accused, the petitioner is directed to be enlarged on bail in connection with Kanti P.S. Case no. 579 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 Act, Muzaffarpur.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

