

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1551 of 2022**

Arising Out of PS. Case No.-268 Year-2021 Thana- MADANPUR District- Aurangabad

PAPPU KUMAR Son of Brahmdeo Yadav Resident of Village - Bhalua Chak,
P.S.- Madanpur, Distt.- Aurangabad (Bihar)

... .. 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. Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 09-06-2022 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 33 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 70 litres of liquor was recovered from a motorcycle and the petitioner who made an attempt to escape was caught. It is further stated that 1575 litres of liquor was recovered from a pick up van.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case under a misunderstanding. No incriminating article has been recovered from his possession. He has no concern either with the seized liquor nor with the two vehicles ie the motorcycle or the pick up van from which the liquor was allegedly seized. He is in custody



since 21.9.2021 and has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner not having any criminal antecedent, his having remained in custody for 8 months and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Madanpur P.S. Case no.268 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, Aurangabad.

(Partha Sarthy, J)

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