

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17372 of 2023

Arising Out of PS. Case No.-172 Year-2019 Thana- KATHAIYA District- Muzaffarpur

RAM NARAYAN SINGH SON OF LATE AGNIDEO SINGH RESIDENT
OF VILLAGE - SADHANPURA, P.S. - KATHAIYA, DISTT. -
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 272, 273/34 of the IPC
and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 39 litres of
IMFL from the poultry farm of co-accused Raj Kumar Ram who
disclosed that petitioner managed to escape after seeing the
police party.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
place of occurrence. The name of the petitioner has been



disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 18.3.2021.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner is a habitual offender as he has got five criminal antecedents..

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Court No. II, Muzaffarpur in connection with Kathaiya P.S. Case No. 172 of 2019.

(Sunil Kumar Panwar, J)

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