

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21291 of 2023

Arising Out of PS. Case No.-682 Year-2021 Thana- NAUBATPUR District- Patna

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BIRU SINGH @ DAWAI LAL Son of Vishwananth Singh R/V- Hussainchak,
Chesi, PS- naubatpur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Naubatpur P.S. Case No. 682 of 2021, Special Excise Case No. 8969/21 dated 28.12.2021 registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, 416.73 litres of foreign made liquor was recovered from the house of the co-accused Laxmi Singh.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Laxmi Singh. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.02.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur in connection with Naubatpur P.S. Case No. 682 of 2021, Special Excise Case No. 8969/21.

The application stands allowed.

(Chandra Prakash Singh, J)

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