

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23491 of 2023

Arising Out of PS. Case No.-125 Year-2022 Thana- NARPATGANJ District- Araria

Kamal Kumar Son of Mahadev Sah R/V- Khawaspur ward no. 4, PS- Simraha
(Forbesganj) Dis- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Narendra Kumar Singh
For the State	:	Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 272, 273, 420/34 of the Indian Penal Code and 30(a) and 36 of the Bihar Prohibition and Excise Act.

The prosecution case relates to recovery of 5,250 litre spirit from the truck bearing reg. no. HR58B-4413.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case merely on the basis of suspicion. The petitioner is not named in the F.I.R. The petitioner was not apprehended on the spot. Neither anything has been recovered from the conscious possession of the petitioner nor he has concern with the alleged recovery. Other co-accused have



already been granted bail by a co-ordinate Bench of this court vide order dated 14.06.2023 passed in Cr. Misc. No. 36036 of 2023. The petitioner is languishing in judicial custody since 13.02.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Narpatganj P.S. Case No. 125 of 2022 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 Exclusive Spl. Judge Excise-I, Araria.

(Sunil Kumar Panwar, J)

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