

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39014 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- LODIPUR District- Bhagalpur

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Kundan Kumar Singh @ Kundan Kumar @ Kundan, S/O Late Mahavir Singh, R/O Village- Fateh Tola, Amarpur, PS. Godda, Dist. Godda (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-07-2023 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 Lodipur P.S. Case No. 66 of 2023 dated 07.04.2023 registered for the offences punishable u/ss 332, 333, 307, 353, 427, 420 and 120B of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 143 litres and 220 ml of Indian made foreign liquor with the vehicle were recovered. The apprehended persons disclosed the name of the petitioner.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case only on the basis of confessional statement of the apprehended persons. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by the Coordinate Bench vide order dated 14.06.2023 passed in Cr. Misc. No. 36323 of 2023. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.04.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of 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, Bhagalpur in connection with Lodipur P.S. Case No. 66 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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