

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66003 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- DANAPUR District- Patna

SHIVKANT KUMAR Son of Dinesh Prasad Singh R/o Sultanpur Behind of
Math Danapur, P.S. - Danapur, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Excise Case no.45 of 2022 (arising out of Danapur P.S. Case no.29 of 2022) registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on information having been received, a raid was conducted. Seeing the police personnel, the accused persons abandoned their vehicles and escaped. Two of the accused namely Vicky Kumar and Mantosh Kumar were arrested and a total of 2160 litres of IMFL was recovered from the parked truck.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case under a wrong



impression in view of the fact that his vehicle was parked near the place of occurrence. A number of co-accused, orders of whom have been brought on record as Annexure-2 series, have been enlarged on bail. The petitioner is in custody since 18.8.2023 and has no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner not having been arrested at the spot, grant of bail to other co-accused vide Annexure-2 series and the petitioner having no criminal antecedent under the Bihar Prohibition and Excise Act, 2016, the Court directs the petitioner to be enlarged on bail in connection with Special Excise Case no.45 of 2022 (arising out of Danapur P.S. Case no.29 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 Special Judge, Excise, Danapur (Patna).

(Partha Sarthy, J)

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