

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40439 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- KALYANPUR District- Samastipur

Shambhu Kumar Singh @ Shambhu Singh, aged about 36 years, Gender- Male, Son of Fulo Singh @ Fuleshwar Singh @ Fulo Prasad Singh, Resident of village Manipur Mathurapur, P.S.- Warisnagar, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ramakant Singh, Advocate
For the Opposite Party : Mr. Anish Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-07-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Kalyanpur P.S. Case No. 307 of 2023 dated 17.10.2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, total 6660 litres of liquor were recovered from one truck and two pick-up vans which were standing at the godown.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that no incriminating article has been recovered from his possession. The petitioner neither the



owner nor the driver of the said vehicles. His name has transpired in the present case on the basis of the confessional statement of the co-accused Ganesh Kumar. The petitioner has no concern with the alleged recovery. The other co-accused has been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 22929 of 2024 under order dated 06.03.2024. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 18.03.2024.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned Special Judge, Excise-1, Samastipur in connection with Kalyanpur P.S. Case No. 307 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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