

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39661 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- BIBHUTIPUR District- Samastipur

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Ankush Kumar @ Ankush Mahto Son of Umesh Mahto R/O Vill.-
Sakhmohan, P.S.- Bibhutipur, Dist.- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bibhutipur P.S. Case no.28 of 2024 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on receiving information, a raid was conducted. Seeing the police personnel, the accused managed to escape and was identified by the Chowkidar as being the petitioner herein. It is further stated that on search being conducted, 90 litres of IMFL was recovered.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He



has been falsely implicated in the case because of enmity in the village. The alleged place of recovery is an open place. The petitioner is in custody since 22.3.2024 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 against the petitioner in the F.I.R., his not having been arrested at the spot, his being in custody since 22.3.2024 and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Bibhutipur P.S. Case no.28 of 2024 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 Special Excise Judge I, Samastipur.

(Partha Sarthy, J)

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