

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81235 of 2019**

Arising Out of PS. Case No.-433 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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SAROJ KUMAR Son of Sri Ramnath Yadav @ Ramnath Yadav Resident of
Village- Dhoi, Police Station- Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr.Veena Rani Prasad

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 11-12-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 9.10.2019 in
a case registered for the offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 2659.32 litres of Indian Made
Foreign Liquor were recovered from the truck. Four persons
including the petitioner were apprehended at the spot.

It is submitted by learned counsel for the petitioner that
the petitioner has been apprehended only on the basis of
suspicion. Statement has been made in paragraph 11 of the
petition that the petitioner is not the owner of the truck in
question. It is further submitted that similarly situated co-
accused Krishna alias Kishan alias Krishna Chandra and Vivek



Kumar who were apprehended at the spot, have been granted bail vide order dated 27.11.2019 passed in Cr. Misc. No. 76736 of 2019 by a Co-ordinate Bench of this Court.

Learned APP submits that the petitioner was apprehended from the place of recovery.

Considering the fact that similarly situated co-accused have been granted bail by a Co-ordinate Bench of this Court, statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and the period under custody, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge -II-cum-Special Judge, Excise, Darbhanga in connection with Sadar P.S. Case No.433 of 2019.

(Dinesh Kumar Singh, J)

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