

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22325 of 2021

Arising Out of PS. Case No.-7 Year-2021 Thana- BAHADURGANJ District- Kishanganj

1. VISHNU SAH @ BISHNU KUMAR SHA Son of Umesh Prasad Sah Resident of Mohalla - Gulab Bagh Shastrinagar, P.S.- Sadar, District - Purnea.
2. Ranjeet Urawn Son of Nehru Urawn Resident of Mohalla - Pologram, P.S.- Sadar, District - Purnea.
3. Santai Paswan Son of Mahesh Paswan Resident of Mohalla - Pologram, P.S.- Sadar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 272 and 273 of the Indian Penal Code and sections 30(a), 35, 36 and 41 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, different quantities of liquor was seized from five different trucks. It is stated that from truck bearing registration no. MH-43Y-8564, 1854 litres of liquor was recovered and the driver of the said vehicle namely, Salman Khan disclosed the name of the three petitioners as liners who were assisting in transportation of the liquor. The petitioners were also taken into custody.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their possession. They have been falsely implicated in the case. The



only material against them is the statement of a co-accused made before police. They are in custody since 8.1.2021 and have no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioners not having any criminal antecedent, the Court directs the petitioners to be enlarged on bail in connection with Special Case no. 15 of 2021 (arising out of Bahadurganj P.S. Case no. 7 of 2021) on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II-cum-Special Judge, Excise, Kishanganj.

(Partha Sarthy, J)

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