

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26247 of 2021

Arising Out of PS. Case No.-791 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

VISWAJEET KUMAR Son of Sri Pramod Ray Resident of Village-
Mohanpur, P.S.- Mohanpur, District- Samastipur, Bihar- 848506.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal, Adv.
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan
Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-11-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred the instant application for grant of regular bail in a case registered under sections sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per per the prosecution case, a total of 4791.24 litres of liquor is stated to have been recovered from the truck, Scorpio vehicle and a pickup van. The petitioner as also others were taken into custody.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. He



has no concern with either of the three vehicles in question nor with the seized liquor and has been falsely implicated in the case because of his antecedent. The petitioner is in custody since 1.12.2020. Chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner has an antecedent under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the petitioner having remained in custody for more than 11 months, this Court directs the petitioner to be enlarged on bail in connection with Hajipur Sadar P.S. Case no.791 of 2020 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 Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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