

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27185 of 2021**

Arising Out of PS. Case No.-52 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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VIJAY KUMAR Son of Late Mahinder Mahto @ Late Mahendra Mahto
Resident of Village - Mahtiya Ward No.13, P.S.- Sonbarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 17-12-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, a total of 540 litres of liquor was recovered being smuggled from Nepal into India and the petitioner was taken into custody.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession who has been falsely implicated in the case. The petitioner is in custody since 21.1.2021 and has no criminal antecedent. Chargesheet has been submitted in the



case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with C2 Case no.52 of 2021 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 District and Session Judge 2nd-cum-Special Judge (Excise), Sitamarhi.

(Partha Sarthy, J)

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