

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29633 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. MRITYUNJAY KUMAR Son of Chhavilal Sahni Resident of Village- Bairgania Ashogi, Ward No.05, Police Station- Bairgania, District- Sitamarhi.
 2. Jigan Sahni Son of Aklu Sahni Resident of Village- Bairgania Ashogi, Ward No.05, Police Station- Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2021 Heard.

The petitioners seek regular bail in connection with Complaint Case No. C-2/76 of 2021 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding the petitioners having been caught by SSB personnel and 90 liters of illicit liquor was recovered.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and are languishing in custody since 2.2.2021. The learned counsel for the petitioners have further



submitted that the petitioners have been arrested in the present case merely on suspicion.

Per contra, Shri Ashok Kumar, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioners.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioners herein, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the petitioners, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge, Excise Act, Sitamarhi in connection with Complaint Case No. C-2/76 of 2021.

(Mohit Kumar Shah, J)

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