

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30551 of 2021**

Arising Out of PS. Case No.-12 Year-2021 Thana- BENIPATTI District- Madhubani

NIRANJAN KUMAR SAH S/o Dukhran Sah R/o village- Nagwara, P.S.-
Katra, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 09-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Benipatti PS case no. 12 of 2021 instituted for the offences punishable under Sections 272, 273 of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 270 liters of Nepali illicit liquor from a tempo and a motorcycle and the petitioner is stated to have been arrested from the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 30.01.2021. The learned counsel for the petitioner has further submitted that another co-accused



person namely Rajan Chaudhari has already been granted bail by a co-ordinate Bench of this Court vide order dated 26.03.2021, passed in Cr. Misc. no. 22263 of 2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

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 parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail, accordingly the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Benipatti PS case no. 12 of 2021.

(Mohit Kumar Shah, J)

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