

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36432 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- AHYAPUR District- Muzaffarpur

BIJENDRA SINGH @ VIJENDRA SINGH @ BIJENDRA S/o Hosiar Singh
@ Hoshiyara R/o village- Sarkathal Gohana (Saragthal), P.S.- Gohana,
District- Soni Path (Hariyana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 106 of 2021 for the offence registered
under Sections 272 and 273 of the Indian Penal Code and
Section 30(a) and 36 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 612.450 litres
of foreign liquor from three vehicles.

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 he is languishing
in custody since 14.02.2021. The learned counsel for the
petitioner has further submitted that neither the vehicles in
question belong to the petitioner nor the illicit liquor has been



recovered from the conscious possession of the petitioner. It is also submitted that a co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 21.08.2021 passed in Criminal Misc. No. 31352 of 2021.

Per contra, the learned counsel 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 petitioner and taking into account the materials available on record as also considering the fact that the vehicles in question from which illicit liquor has been recovered, do not belong to the petitioner, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Ahaiyapur P.S. Case No. 106 of 2021.

(Mohit Kumar Shah, J)

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