

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40102 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- VAISHALI District- Vaishali

1. SUDHIR KUMAR Son of Virendra Paswan Resident of Village - Alhdadpur, P.S. and District - Vaishali.
2. Sunil Kumar Son of Virendra Paswan Resident of Village - Alhdadpur, P.S. and District - Vaishali.
3. Chandeshwar Mahto Son of Ram Ashish Mahto Resident of Village - Chak Alhdadpur, P.S. and District - Vaishali.
4. Anil Kumar Son of Chandeshwar Mahto Resident of Village - Chak Alhdadpur, P.S. and District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Vaishali P.S. Case No. 104 of 2021, registered for the offence punishable under Sections 272, 273, 414 of the Indian Penal Code read with Section 30(a)/ 41(i) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 260 liters of illicit liquor from near the bank of river.

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 27.3.2021. The learned counsel for the petitioners has further submitted that the place from where the illicit liquor has been recovered, does not belong to the petitioners.

Per contra, the learned APP 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 petitioners and taking into account the materials available on record as also considering the fact that seized liquor has not been recovered from the conscious possession of the petitioners nor from their house, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 104 of 2021.

(Mohit Kumar Shah, J)

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