

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41052 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- PANDAU District- Madhubani

1. BIMLESH KUMAR SINGH S/O SHIV SHANKAR SINGH R/o village- Khangaon, P.S.- Pandaul, Distt.- Madhubani
2. Sanjeev Kumar S/o Laxmi Mahto R/o village- Rampatti, P.S.- Rajnagar, Distt.- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, 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 Pandaul PS case no. 55 of 2021 instituted for the offences punishable under Sections 272, 273/34 of Indian Penal Code and 30(a), 36, 38, 41(1) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 313.875 liters of illicit liquor from a Scorpio vehicle.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having clean antecedent and are languishing in custody since 25.03.2021. The learned counsel for the petitioners, by referring to paragraph no. 6 of the present petition, has



submitted that the petitioners are neither the owner of the Scorpio vehicle in question nor they are stated to be the driver of the same.

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 materials available on record as also considering the fact that the petitioners are neither the owner nor the driver of the Scorpio vehicle, from which illicit liquor was recovered and they are languishing in custody since 25.03.2021, I deem it fit and proper to admit the petitioners to the privilege of bail. Accordingly, the abovenamed petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge I-cum-Special Judge, Excise Act, Madhubani in connection with Pandaul PS case no. 55 of 2021.

(Mohit Kumar Shah, J)

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