

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40440 of 2020

Arising Out of PS. Case No.-720 Year-2018 Thana- JAYNAGAR District- Madhubani

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VIJAY KUMAR SAH @ VIJAY KUMAR SAHU @ BIJAY KUMAR SAH
SON OF RAM PRITI SAHU RESIDENT OF VILLAGE - KORAHIA, P.S. -
JAYNAGAR, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-03-2021 Heard Mr. Ratanakar Jha, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, Additional Public

Prosecutor for the State.

2. Petitioner seeks regular bail in connection with

Jaynagar PS Case No. 720/2018 registered for the offence

punishable under Sections 272, 273 of the IPC and Section

30(a) of Bihar Prohibition & Excise Act.

3. The allegation, as per First Information

Report, is that on 23.12.2018 at about 14:00 hours, while

the police was checking motorcycle, one boy on a TVS

Apache Motorcycle, seeing the police, tried to flee away

by turning the motorcycle, however, on chase, the driver of

the said motorcycle fled away after leaving the motorcycle

on the spot from-where altogether 13.125 litres of



illicit liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case from another case. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession of the petitioner and the motorcycle which was allegedly recovered by the police, does not belong to him. Learned counsel also submits that petitioner is in custody since 15.04.2020.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is neither the owner of the motorcycle in question nor any illicit liquor has been recovered from his conscious possession and he is in custody since 15.04.2020, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, VIJAY KUMAR SAH @ VIJAY KUMAR SAHU @ BIJAY KUMAR SAH 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jaynagar PS Case No. 720/2018 corresponding to GR No.



06/2019.

7. It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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