

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4058 of 2021**

Arising Out of PS. Case No.-117 Year-2020 Thana- SAKRA District- Muzaffarpur

SANJIT KUMAR @ SANJIT RAY, SON OF JAGDISH RAY, RESIDENT
OF VILLAGE- SABAHA, POLICE STATION- SAKRA, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 23-03-2021 Heard Mr. Hari Kishore Thakur, learned Counsel for

the petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out
of Sakra Police Station Case No. 117 of 2020, disclosing
offences under Sections 272, 273, 353, 325, 307 and 34 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation, as per the First Information Report
is that police intercepted a motorcycle on which two persons
were riding and upon seeing the police party, accused persons
started fleeing away but one of them, namely, Rahul Kumar,
was arrested and upon search, 25.5 litres of illicit liquor was



recovered from the motorcycle and arrested accused persons Rahul Kumar disclosed that liquor in question belongs to the petitioner and his brother, Ranjit Ray.

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 due to oblique motive on the basis of disclosure of his name made by arrested co-accused. Learned counsel next submits that no illicit liquor has been recovered from the conscious possession of the petitioner and his brother, Ranjit Ray has been granted anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No.33063 of 2020, having same allegation. Learned counsel next submits that petitioner has no criminal antecedent and he is in custody since 15.10.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner has got no criminal antecedent and he is in custody since 15.10.2020 and the similarly situated accused person has been granted anticipatory bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Sanjit Kumar @ Sanjit Ray, 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 Act, Muzaffarpur, in connection with Sakra Police Station Case No. 117 of 2020 .

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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