

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6737 of 2021

Vijay Kumar Sah @ Vijay Kumar Sahu @ Bijay Kumar Sah Son of Ram Priti
Sahu Resident of Village- Korahia, P.S.- Jaynagar, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 21-05-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application has been filed by the petitioner for grant of regular bail in connection with Jay Nagar P.S. Case No. 175 of 2019 registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a raid being conducted a total of 120 litres of illicit liquor is stated to have been recovered from different persons including one Md. Khurshid. It is further stated that on inquiry Md. Khurshid stated that the liquor belongs to three other accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the person or possession of the petitioner and he has no concern with the illicit liquor. There is no material against him except the



confessional statement of a co-accused made before police. The petitioner has been falsely implicated in the case because of pendency of cases against him. He is in custody in the instant case since 23.6.2020 and chargesheet has been submitted.

The application for bail is opposed by learned APP for the State who submits that the petitioner is an accused in five other cases of which four are under the Bihar Prohibition and Excise Act.

Having heard learned counsel for the parties and taking into consideration the contents of the FIR, the nature of allegations against the petitioner and the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Jaynagar P.S. Case No. 175 of 2019 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

(Partha Sarthy, J)

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