

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8312 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- BELA INDUSTRIAL District-
Muzaffarpur

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1. SANJEET KUMAR SON OF LATE YUGESHWAR PRASAD RESIDENT OF VILLAGE- NABA NAGAR, P.S. BIDDUPUR, DISTRICT- VAISHALI, BIHAR
 2. CHANDESWAR RAY SON OF LATE BATORAN RAY VILLAGE- SARAHI PANSHALA, P.S. - KHAUDAMANPUR, DISTRICT- BEGUSARAI, BIHAR. AT PRESENT BELA FASE 2 KAMAL RAY KE MAKAN ME KIRYADAR, P.S.- BELA, DISTRICT- MUZAFFARPUR, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 27-05-2021 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Bela P.S. Case no. 31 of 2020 registered under sections 272, 273, 414 and 120B of the Indian Penal Code and sections 30(a), 38(1) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated that on seeing suspicious movement, checking was started and on search a total of 4273.2 litres of liquor was recovered from a truck, two



pick-up vans and two motorcycles. The petitioners were amongst the persons who were caught while 5 other persons who were identified, managed to escape.

It is submitted by learned counsel for the petitioners that the allegations against the petitioners are false and concocted. No incriminating article has been recovered from their possession. The petitioners live on rent in Muzaffarpur and as a result of flood water having entered their premises, they were on road and were arrested by the police on suspicion. They have no concern either with the seized liquor or any of the vehicles from which the same was seized. They have no criminal antecedent and are in custody since 25.8.2020. Charge-sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstance of the case including the petitioners not having any criminal antecedent nor any concern with any of the seized vehicles, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Bela P.S. Case no. 31 of 2020 on each of them furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned Special Judge,
Excise Act, Muzaffarpur.

(Partha Sarthy, J)

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