

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2247 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- MUSAHARI District- Muzaffarpur

1. VIKASH KUMAR S/o Late Jagmohan Sah R/o village- Bhola Chowk, P.S.- Mithan Pura, Distt.- Muzaffarpur, Bihar
2. Rakesh Kumar S/o Late Lalbabu Sah R/o village- Sutihar, P.S.- Derni, District- Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 272, 273 and 34 of the Indian Penal Code and sections 30(a), 36 and 41 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 72 litres of liquor was recovered from the car in which both the petitioners were present.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their possession or from the vehicle in which they were present. They



have been falsely implicated in the case. They are in custody since 11.10.2021 and have no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioners not having any criminal antecedent, their having remained in custody for 7 months and investigation in the case having concluded, the Court directs the above two petitioners to be enlarged on bail in connection with Mushahri P.S. Case no. 175 of 2021 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, Muzaffarpur.

(Partha Sarthy, J)

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