

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53493 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- INDUSTRIAL AREA District- Vaishali

ANISH KUMAR VIDARTHI @ PAPPU @ ANISH KUMAR BIDHARTHI
@ ANISH KUMAR VIDYARTHI @ ANISH KUMAR Son of Shree Arjun
Singh @ Arjun Kumar Singh Resident of Village - Basdih, P.S.- Bheldi,
Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273, 420 and 120B of the Indian Penal Code and sections 30(a), 33, 36 and 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total of 5717 litres of liquor was recovered from the truck in question. Three accused persons including the petitioner herein were caught.

It is submitted by learned counsel for the petitioner that the petitioner was merely a passenger in the truck and has no concern either with the seized liquor nor with the truck in question. He has no criminal antecedent and is in custody since 25.4.2021. It is fairly submitted by learned counsel for the



petitioner that the application for bail of the two other accused was rejected vide order dated 23.2.2022 passed in Cr. Misc. no. 65172 of 2021 mainly on the ground of their being resident of outside of the State of Bihar, however, given liberty to them to renew their prayer for bail.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for more than 11 months and not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Industrial Area P.S. Case no. 83 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II – cum – Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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