

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59476 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- MADHWAPUR District- Madhubani

1. VIJAY ROY Son of Badri Roy Resident of Village - Verma, P.S.- Choraut, District - Sitamarhi.
2. Vishal Kumar Son of Satto Chaudhary Resident of Village - Verma, P.S.- Choraut, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Madhwapur P.S. Case No. 96 of 2021 for the offence registered under Sections 272, 273, 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 145.800 litres of illicit Nepali liquor from sacks loaded on the motorcycle and the petitioners are stated to have been apprehended from the spot.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and they are languishing in custody since 13.08.2021. As far as the petitioner no. 2 is concerned, he is stated to be having no criminal antecedent, however, the



petitioner no. 1 is an accused in one other case. The learned counsel for the petitioners has further submitted that the petitioners were passerby and they have been falsely implicated in the present case by the police.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the period of incarceration of the petitioners herein, I deem it fit and proper to direct for release of the petitioners herein on regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Madhwapur P.S. Case No. 96 of 2021, G.R. No. 1402 of 2021.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

