

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63778 of 2021

Arising Out of PS. Case No.-75 Year-2021 Thana- KARJA District- Muzaffarpur

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SANJAY KUMAR @ SANJAY RAY Son of Jailal Prasad Yadav Resident of
Village - Narhar Sarai, P.S. - Karja, District - Muzaffarpur.... ... Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.
Mr. Jitendra Kumar Srivastava, Adv.
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State *via* virtual mode.

The petitioner seeks regular bail in connection with Karja Police Station Case No. 75 of 2021, registered for the offences punishable under Sections 272/273/34 of the Indian Penal Code and Sections 30 & 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, on the basis of the secret information, raided the hutment of one co-accused, namely, Vipul Kumar @ Bipul Kumar @ Vipul and recovered a total quantity of 476.640 litres of illicit liquor from the said hutment.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement of co-accused, Vipul Kumar and the



hutment, from where the illicit liquor has been recovered, does not belong to the petitioner and the same was kept by five other co-accused persons. He further submits that the hutment is situated in an open space and the same is accessible to all and sundry. He next submits that the co-accused, Vipul Kumar, from whose hutment illicit liquor was recovered, has been granted bail by this Court vide Cr. Misc. No. 36757/2021. He also submits that the petitioner is in custody since 22.09.2021 having no criminal antecedent.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the co-accused, Vipul Kumar, from whose hutment illicit liquor was recovered, has been granted bail by this Court, the petitioner has got no criminal antecedent, no illicit liquor has been recovered from the conscious possession of the petitioner, and the petitioner is in custody since 22.09.2021, I am inclined to grant regular bail to the petitioner.

Let the petitioner, SANJAY KUMAR @ SANJAY RAY, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur,



in connection with Karja Police Station Case No. 75 of 2021.

(Anil Kumar Sinha, J)

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