

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55591 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- BENIPATTI District- Madhubani

1. Ritik Raushan Son of Leeladhar Yadav @ Liladhar Yadav R/V- Gausaghat Navtoli, P.S- Sadar Darbhanga, Dist- Darbhanga
2. Arvind Kumar Son of Raj Kumar Paswan R/V- Gausadih, P.S- Sadar Darbhanga, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual mode.

The petitioners seek regular bail in connection with Benipatti P.S. Case No. 162 of 2022 lodged under Sections 272, 273/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total recovery of 72 liter of Nepali wine has been made, which is subject matter of the present case.

Learned counsel for the petitioners submits petitioner no. 1 is the owner of the seized vehicle and petitioner no. 2 is a co-passenger of the said vehicle. Learned counsel for the petitioner submits that petitioners are innocent and have committed no offence. He further submits that petitioners are in

custody since 26.06.2022 having clean antecedent of both the petitioners. Learned counsel for the petitioners submits that police has forcefully put their names in this case because they refused to put sign on the charge-sheet and only due to this reason police has filed this case against them.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.40,000/- (Rupees Fourty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Special Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Benipatti P.S. Case No. 162 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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