

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.968 of 2022

Arising Out of PS. Case No.-159 Year-2021 Thana- BENIPATTI District- Madhubani

VIJAY SAH @ VIJAY BIHARI Son of Shri Batohi Sah Resident of Village -
Parsoni, P.S. - Bisfi (Patauni), District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the

State.

Petitioner seeks regular bail in connection with
Benipatti P.S. Case No. 159 of 2021 registered for the
offences punishable under Sections 272, 273 of the Indian
Penal Code 1860 and Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation, as per the First Information
Report, is that the Police intercepted two cars and recovered
a total quantity of 174.15 litres of illicit liquor from the
same and the drivers of the car succeeded in fleeing away.

Learned counsel for the petitioner submits that



the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely on the basis of suspicion. The petitioner has no concern with the alleged recovery of the liquor and the cars in question. He further submits that other co-accused person namely, Shambhu Sah has been granted regular bail by a co-ordinate Bench of this Court in Cr. Misc. 51715 of 2021 and Chhutu Kumar @ Chhotu Mandal has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. 54178 of 2021. The petitioner is in custody since 24.8.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that petitioner has got no criminal antecedent, there is no recovery from conscious possession of the petitioner, he is in custody since 24.8.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional District and Sessions Judge-II cum Special Judge, Excise Act, Madhubani, in connection with Benipatti P.S. Case No. 159 of 2021.

(Anil Kumar Sinha, J)

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