

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4142 of 2023

Arising Out of PS. Case No.-366 Year-2021 Thana- VAISHALI District- Vaishali

PAPPU RAI Son of Ram Bahadur Ray Resident of village - Sohratha, P.S.-
Belsar O.P., District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273, 414 of the Indian Penal Code and Sections 30(a), 32(ii), 34(ii), 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 3723.81 liters illicit foreign liquor of different brands from five different vehicles.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. The petitioner is neither driver nor owner of the vehicles in question from where the recovery of illicit liquor has been made and he has has no concern with the alleged liquor or with co-



accused persons. No any incriminating article has been recovered from conscious possession off the petitioner. Moreover, similarly situated co-accused namely, Pintu Singh has already been granted bail by a co-ordinate Bench of this Court vide order 2.12.2022 passed in Cr. Misc. No. 61479 of 2022 and in support of this Annexure-2 has been annexed with this petition. The petitioner is languishing in judicial custody since 14.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Vaishali (Belsar O.P.) P.S. Case No. 366 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court no.II-cum-Addl. Sessions Judge, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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