

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4754 of 2023

Arising Out of PS. Case No.-354 Year-2021 Thana- VAISHALI District- Vaishali

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SANOJ KUMAR @ SANOJ RAI S/O LATE NAGINA RAY @ NAGEENA
RAY Resident of village- Mahua Singh Rai @ Singhara, P.S.- Mahua,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-04-2023 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, 413, 414 of the Indian Penal Code and Sections 30(a)/41(i) of the Bihar Prohibition and Excise Act.

As per prosecution case, recovery of 872.91 liters of India Made foreign liquor was made from different vehicles and also from backyard of the house of the co-accused Mukesh Kumar. The name of the petitioner surfaced during investigation for being involved in trade of liquor.

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.



Petitioner has no concern with the alleged recovery of illicit liquor or with the vehicles in question rather his name came into light on the disclosure made by apprehended co-accused person. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 20.12.2022.

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 P.S. Case No. 354 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-2nd-cum-Additional District and Sessions Judge, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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