

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10932 of 2023

Arising Out of PS. Case No.-427 Year-2021 Thana- SARAIYA District- Muzaffarpur

Vishwajeet Singh @ Vishwajeet Pratap Singh @ Vishu Son Of Dhannjay Kumar Singh @ Dhananjay Singh R/V- Rewa Bichala Tola, P.S- Saraiya Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Saraiya P.S. Case No. 427 of 2021 registered under sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

As per prosecution case, the total recovery of 3826.440 liters of foreign liquor has been made from a truck. It is further alleged that petitioner worked as liner to procure illicit liquor.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The name of the petitioner came into light in this case on the basis of



secret information. He was not apprehended on spot. It is further submitted that nothing incriminating wine/liquor has been recovered from the conscious possession of the petitioner. He has no concern either with the seized liquor or with the alleged truck. Moreover, he is languishing in judicial custody since 21.12.2022. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 25.11.2022 in Cr. Misc. No. 54023 of 2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Saraiya P.S. Case No. 427 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.-II, Muzaffarpur.

(Sunil Kumar Panwar, J)

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