

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16016 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- DARIYAPUR District- Saran

1. Aryan Pandey @ Aryan Kumar Pandey, S/o Munna Pandey R/o Village- Sarawn, Jogiya, P.S.- Rasulpur, Distt- Saran, Chapra, presently residing at Road no. 10, Indrapuri, Post Office- Keshri Nagar, P.S.- Patliputra, District- Patna-800024.
2. Vivek Kumar S/o Mahesh Saha, R/o Village- Road no. 25, Rajiv Nagar, Post Office- Keshri Nagar, P.S.- Rajiv Nagar, Distt- Patna-800024.
3. Aman Kumar @ Shreyansh Singh, S/o Sachindra Singh, R/o Village- Road No. 5A, Indrapuri, Post Office- Keshri Nagar, P.S.- Patliputra, Distt- Patna-800024.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarjeet, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2. Petitioners seek regular bail in connection with Dariyapur P.S. Case No. 15 of 2023 dated 14.01.2023 registered for the offences punishable under Sections 420 and 120(B) of the Indian Penal Code and Sections 30(a), 41(i), (ii) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, it is alleged that the police party acting upon a secret information apprehended the co-



accused persons from three vehicles which were being used for trasportintg the foreign liquor. It is further alleged that a total of 446.70 litres of liquor was recovered from the alleged vehicles.

4. The main submissions advanced by the learned counsel for the petitioners are that the petitioners are not named in the FIR, seven co-accused persons out of the eleven named co-accused persons were arrested at the spot with alleged liquor kept in several vehicles but petitioners' name did not find any place in the FIR and later during investigation in the statements of co-accused persons namely, Mukesh Kamat and Rakesh Kumar, petitioners' name surfaced but after their arrest the police failed to recover any liquor or incriminating material in following with the said statements and petitioners have been languishing in jail since 26.01.2023 having fair and clean antecedent.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions made by learned counsel for the petitioners, in the opinion of this court, the petitioners deserve to a lenient approach of this court. Accordingly, let the petitioners be released on bail in connection with Dariyapur P.S. Case No. 15 of 2023 on furnishing bail



bonds of Rs.10,000/-(Ten Thousand) each with two sureties of
the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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