

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14344 of 2023

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

Sanjit Kumar Son Of Late Umesh Mahto R/O Village- Hajipur Bashant, P.S-
Runni Saidpur, District- Sitamarhi. Presently Residing At Patel Nagar, Road
No.-4, Ravi Chowk, P.S.- Patliputra, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections 420,
120(B) of I.P.C. & Section 30(a),41(i)(ii) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 446.760
litres of I.M.F.L. from three cars. Petitioner and others
were alleged to be apprehended on spot. Petitioner is
alleged to be driver of Wagon-R car bearing registration
number BR-01R-0926, from which 171.760 litres of
I.M.F.L. was alleged to be recovered.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in the present case. He has no concern with the alleged liquor. Moreover, the petitioner is languishing in judicial custody since 15.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of State vehemently opposed the prayer of bail and submitted that petitioner is driver of the alleged vehicle from which huge quantity of liquor has been recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions



Judge, 2nd -cum- 1st Exclusive Special Judge, Excise,
Saran, Chapra in connection with Dariyapur P.S. Case
No. 15 of 2023.

The petitioner is directed to deposit a sum of
Rs. 10,000/-(Rupees Ten Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 10,000/-(Rupees Ten Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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