

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14693 of 2023

Arising Out of PS. Case No.-569 Year-2022 Thana- GOPALPUR District- Bhagalpur

PINTU SAH @ AMIT KUMAR S/O LATE KAPILDEV SAH R/v- Tintanga
(Karari), P.S.- Gopalpur, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 20316 of 2023

Arising Out of PS. Case No.-569 Year-2022 Thana- GOPALPUR District- Bhagalpur

VIKASH KUMAR Son of Subhash Mandal Resident of Village - Tintanga
Karari, P.S.- Gopalpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14693 of 2023)

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

(In CRIMINAL MISCELLANEOUS No. 20316 of 2023)

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-05-2023 1. As both the criminal miscellaneous petitions
- have arisen out of same P.S. case, hence they are being taken up
- and decided together.
2. Heard learned counsels for the petitioners
- and the learned APPs for the State.
3. Petitioners seek regular bail in connection



with Gopalpur P.S. Case No.569 of 2022 dated 11.11.2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

4. The main submissions advanced by learned counsel for the petitioner Pintu Sah @ Amit Kumar are that the petitioner is not named in the FIR, no recovery of the alleged wine was made from his possession, he has been made accused mainly on the ground of having communication with co-accused Vikash Kumar through mobile phone and regarding the details of the said communication the said co-accused revealed the conversation before the police officer after his arrest and the petitioner has fair and clean antecedent and has been languishing in jail since 17.12.2022.

5. The main submissions advanced by learned counsel for the petitioner Vikash Kumar are that this petitioner had no concern with the alleged seized wine, in fact at the time of the alleged recovery two passengers namely Saurav Kumar and Chandan Kumar boarded the petitioner's newly purchased e-rickshaw and the said passengers were having the alleged liquor and on seeing the police party they managed to escape and the petitioner, who had no knowledge of the said liquor, was apprehended by the police and the petitioner has fair and clean



antecedent and has been languishing in jail since 12.11.2022.

6. Learned APPs appearing for the State oppose the bail prayer.

7. Considering the above submissions and mainly petitioners’ fair and clean antecedent and completion of investigation against them, in the opinion of this Court a lenient approach can be taken in respect of the petitioners’ prayer, let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Gopalpur P.S. Case No.569 of 2022.

(Shailendra Singh, J)

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