

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15452 of 2023

Arising Out of PS. Case No.-371 Year-2022 Thana- TAJPUR District- Samastipur

Sajan Kumar @ Sajan Kumar Ray Son Of Wakil Ray @ Wakil Ray R/O
Village- Vikrampur, P.S.- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 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, 34 of the Indian Penal Code and Section 30(a) the Bihar Prohibition and Excise Amendment Act.

The prosecution case relates to recovery of total 203.040 liters illicit foreign liquor, which was recovered from the agriculture field of co-accused, namely, Rajeev Kumar Ray.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner was



neither apprehended on the spot nor prohibited liquor was recovered from his conscious possession rather the same has been recovered from the agricultural land of co-accused person. It is further submitted that the petitioner is languishing in judicial custody since 30.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Tajpur (Halai O.P.). P.S. Case No. 371 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court-02, Samastipur.

(Sunil Kumar Panwar, J)

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