

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16552 of 2023

Arising Out of PS. Case No.-679 Year-2021 Thana- SARAIYA District- Muzaffarpur

Ram Vinay Kumar @ Rambinay Kumar Son Of Rampreet Yadav @ Rampreet
Rai R/O Village- Manikpur, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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, 420, 34 of the Indian Penal Code and sections 30(a), 32(2), 36 41(1) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of huge quantity of illicit liquor i.e. 3458.880 liters from a truck bearing Registration no. PB10FV-0286.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor or with the



vehicle in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession rather his name was sprang up in this case on the basis of secret information. Moreover, similarly situated co-accused namely, Niraj Kumar has already been granted bail by a co-ordinate Bench of this Court vide order 25.2.2022 passed in Cr. Misc. No. 70413 and in support of this Annexure-3 has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 25.1.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saraiya P.S. Case No. 679 of 2021 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-II, Muzaffarpur.

(Sunil Kumar Panwar, J)

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