

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20336 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- MUSRIGHRARI District- Samastipur

1. SANNY KUMAR @ SUNNY KUMAR (Male), aged about 20 years, S/O UPENDRA RAY
2. RAUSHAN KUMAR (Male), aged about 22 years, S/O RANJEET RAY
Both are R/O VILLAGE- DADHIYA ASADHAR, P.S- ANGHARGHAT, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-05-2023 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. Petitioners seek regular bail in connection with
Musarigharari P.S. Case No. 09 of 2023 dated 15.01.2023
registered for the offence(s) punishable under Section(s) 30(a),
32, 36 and 41 of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioners are that the instant matter relates to
the recovery of 883.08 litres of foreign liquor and the same is
stated to have been recovered from a pickup van but the
petitioners had no concern with the alleged wine and as per the
prosecution, the petitioners were simply talking to the driver of



the alleged vehicle and merely on this ground both the petitioners were suspected to be involved in the alleged crime of smuggling of wine and they have fair and clean antecedent and have been languishing in jail since 16.01.2023 and against them, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly petitioners' fair and clean antecedent, the completion of investigation against them and as per statement made in paragraph no.8 of the petition, the alleged vehicle does not belong to the petitioners, 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 in connection with Musarigharari P.S. Case No. 09 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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