

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42537 of 2023

Arising Out of PS. Case No.-148 Year-2016 Thana- SINDHIYA District- Samastipur

VIJYENDRA Son of Ishwar @ Ishwar Singh R/o Village - Rudhki, District -
Rohtak, Haryana, 124401.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 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 30(a), 38(i)(ii), 41(i)
of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1323 litres of
illicit alcohol from a truck bearing registration no. HR6170961.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. He has no concern
with the alleged recovery or with the vehicle in question. The
name of the petitioner has been disclosed in this case by the
apprehended co-accused, namely Kulveer, driver of the truck,
before the police, which has got no evidentiary value in the eye



of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 6.4.2023.

Learned APP appearing for the State has 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 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 Special Excise Court No. 1, Samastipur in connection with Excise GR No. 1164 of 2016 in Singhiya PS Case No. 148 of 2016.

(Sunil Kumar Panwar, J)

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