

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15224 of 2023

Arising Out of PS. Case No.-365 Year-2022 Thana- SARAI RANJAN District- Samastipur

MUKESH KUMAR @ MUKESH MAHTO @ BASANT Son of Pawan
Mahto R/V- Harpur Bhindi, Ps- Tajpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38994 of 2023

Arising Out of PS. Case No.-365 Year-2022 Thana- SARAI RANJAN District- Samastipur

SUMIT KUMAR @ SUMIT KUMAR RAY son of Sonelal Yadav @ Sonelal
Ray Village- Shitalpatti Ps- Sarairanjan Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 39005 of 2023

Arising Out of PS. Case No.-365 Year-2022 Thana- SARAI RANJAN District- Samastipur

VIKRAM KUMAR @ BIKRAM KUMAR Son of Ramgulam Ray Village-
Vidupur Ward No-13, Ps- vidupur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 15224 of 2023)

For the Petitioner/s : Mr.Aprajita

For the Opposite Party/s : Mr.Ahmad Ali

(In CRIMINAL MISCELLANEOUS No. 38994 of 2023)

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Narsingh Tanti

(In CRIMINAL MISCELLANEOUS No. 39005 of 2023)

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.



The petitioners seek regular bail in connection with Sarai Ranjan P.S. Case No. 365 of 2022 registered for the offence under Sections 147, 148, 149, 332, 307, 353, 504, 420, 467, 468, 471 of the I.P.C., Sections 25(1-b)a, 26, 27, 35 of the Arms Act and Sections 30(a), 32(i)(ii), 36, 41(1), 45, 62 of the Bihar Prohibition and Excise Act.

As per prosecution case, when the police reached at Sahil enterprises situated at Village Kankalipur, the accused persons started firing and creating hindrance in discharging the duty of police officials. Thereafter, police arrested some of them and sized vehicles as well illicit liquor from the place of occurrence. The petitioners are said to have indulged in storing illegal business of liquor.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. From perusal of FIR, there is no specific allegation of firing is attributed against the petitioners. It is further submitted that petitioner Mukesh confessed and disclosed the name of other petitioners namely, Sumit and Vikram Kumar. The petitioners have no concern with the alleged recovery of liquor or with seized vehicles. It is also submitted that the injury sustained by police officials are simple



in nature. Moreover, petitioners namely, Mukesh Kumar, Sumit Kumar and Vikram Kumar are languishing in judicial custody since 10.12.2022, 5.6.2023 & 31.5.2023 respectively.

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, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sarai Ranjan P.S. Case No.365 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)-02, Dist- Samastipur/ concerned Court.

(Sunil Kumar Panwar, J)

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