

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44949 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- KHANPURA District- Samastipur

1. NITISH KUMAR SON OF LATE RAMCHANDRA MAHTO VILLAGE
RAMNAGAR KHEDA PS KHANPUR, DIST- SAMASTIPUR
2. RANJEET KUMAR SON OF VISHNU DEV MAHTO RESIDENT OF
VILLAGE- RANJEETPUR, PS- KHANPUR, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anu Priyadarshni

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for bail in a case registered for the offence punishable under sections 272, 273 of the Indian Penal Code and Section 30(A) and 30(c) of the Bihar Excise Act.

As per allegation in the FIR, 265 litres spirit was recovered from the hut of co-accused Arun Kumar.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this Case. No local person was made as a witness of the seizure list rather



seizure list witnesses are police personnel. Petitioner was not arrested on spot. His name transpired in confessional statement of co-accused Alok Kumar before the police, which has no evidentiary value in the eye of law. Petitioner is languishing in judicial custody since 22.3.2023.

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 Judge Excise-I, Samastipur in connection with Khanpur PS Case No. 28 of 2023.

(Sunil Kumar Panwar, J)

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