

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65100 of 2023

Arising Out of PS. Case No.-311 Year-2023 Thana- GAIGHAT District- Muzaffarpur

1. VIJAY KUMAR S/O SUSHIL MAHTO RESIDENT OF VILLAGE JAJUAAR, PS- KATRA, DIST- MUZAFFARPUR
2. VIKASH KUMAR SON OF LAKSHMAN THAKUR VILLAGE- RATANPUR, PS- KAMTAUL, DIST- DARBHANGA

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case registered for the offences punishable under Sections 272, 273, 420, 467, 468, 471 and 34 of the Indian Penal Code and Sections 30(a), 32, 36 and 41(i) of the Bihar Prohibition and Excise Act.

3. As per allegation in the F.I.R. it is the case of recovery of 3782.880 liters of liquor which was seized from three vehicles and in one of the vehicles petitioner Vijay Kumar was sitting along with other co-accused.

4. It is submitted by learned counsel for the petitioners



that petitioners have been falsely implicated in this case due to enmity and grudge and also due to local politics. It is further submitted that petitioners have no concern with the vehicle in question and they have been falsely implicated by the police. Learned counsel for the petitioners next submitted that the only allegation against the petitioner No. 1 is that he is driving one of the seized vehicles and on petitioner No. 2 is that he is sitting alongside with the petitioner No. 1. Petitioners have got no criminal antecedent and languishing in judicial custody since 09.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Petitioners are directed to deposit Rs. 5,000/- (Five thousand) each in the concerned DLSA.

7. 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No. 1, Muzaffarpur, in connection with Gaighat P.S. Case No. 311 of



2023.

8. The bail bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of Rs. 5,000/- (Five thousand only) each by the petitioners in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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