

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72294 of 2023

Arising Out of PS. Case No.-205 Year-2016 Thana- ROSERA District- Samastipur

Vijendra @ Vijendra Son Of Ishwar @ Ishwar Singh Village- Rudhki, Dist-
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.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 47(a), 54 and 57 of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
981 liters of illegal IMFL from a Pick-up Van.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern either with the seized vehicle or with the wine in
question. He submitted that the name of the petitioner has only
been inserted on the ground that a deposit receipt of Rs.
25,000/- in the name of the petitioner had been found near the



place of occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. He submitted that the other co-accused, who arrested on spot has already been granted bail by a Co-ordinate Bench vide order dated 15.12.2016 passed in Cr. Misc. No. 49164 of 2016. Petitioner has remanded in this case on 14.06.2023 and since then he is languishing in judicial custody.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 1, Samastipur in connection with Rosera P.S. Case No. 205 of 2016.

(Sunil Kumar Panwar, J)

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