

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68429 of 2022

Arising Out of PS. Case No.-102 Year-2021 Thana- KISHUNPUR District- Supaul

1. RANJEET YADAV @ RANJIT KUMAR Son of Sukhdev Yadav @ Jagdish Yadav @ Jagdish Mandal R/v- Sukhasan, P.S.- Kishanpur, District- Supaul
2. VIJAY YADAV @ VIJAY KUMAR YADAV @ BABLU YADAV @ VIJAY KUMAR BABAR Son of Sukhdev Yadav @ Jagdish Yadav @ Jagdish Mandal R/v- Sukhasan, P.S.- Kishanpur, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the petitioners and
the learned APP for the State.

The petitioners seek regular bail in connection with Kishanpur PS case no. 102 of 2021 instituted for the offences punishable under Sections 420, 467, 468, 471 of the Indian Penal Code and Sections 30(a), 38(1), 41(1) of Bihar Prohibition and Excise (Amendment) Act, 2016.

The allegation is regarding recovery of 2996.25 liters of illicit foreign liquor from a truck which was standing besides the road. It is also alleged that the petitioners are the persons who had fled away in a Scorpio vehicle after seeing the police force.



The learned counsel for the petitioners submits that the petitioners are innocent, have been falsely implicated in the present case and are languishing in custody since 05.09.2022. The learned counsel for the petitioners has further submitted that as far as petitioner no. 1 is concerned, he is stated to be accused in two other cases but he is on bail in the said cases and as far as petitioner no. 2 is concerned, he is stated to be accused in 05 other cases but he is on bail in all the said five cases. It is also submitted by referring to the present petition that the petitioners are not the owner of the truck in question, hence, they are not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners have categorically stated in paragraph no. 10 of the present petition that they are not the owner of the truck in question apart from the fact that they are languishing in custody since 05.09.2022, I deem it fit and appropriate to admit the petitioners to the privilege of bail.

Accordingly, the abovenamed petitioners are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/-



(Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of Exclusive Excise Judge, Court no. 1, Supaul in connection with Kishanpur PS case no. 102 of 2021.

(Mohit Kumar Shah, J)

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