

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69516 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- PALIGANJ District- Patna

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RIPU KUMAR @ RIPU YADAV @ SAMRAT RAJ S/o Servendra Yadav @
Servendra Motilal Yadav R/o- Chakiya, P.S.- Paliganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

The petitioner seeks regular bail in connection with Paliganj P.S. Case No. 59 of 2022, registered for the offence punishable under Section 30(a), 35, 33, 36 and 41(1) of the Bihar Prohibition and Excise Amendment Act.

The allegation is regarding recovery of 684 liters of illicit liquor from a Bolero vehicle and upon seeing the police, the accused persons had fled away. It is also alleged that the petitioner was one amongst those who had fled away.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 1.8.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in two other cases, but he is on bail in all the said two cases. The learned counsel for the petitioner has submitted by referring to paragraph no. 11 of the present petition that he is not the owner of the vehicle in question.

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 petitioner and taking into account the materials available on record as also considering the fact that the petitioner has categorically stated in the present petition that he is not the owner of the vehicle in question, apart from the fact that no illicit liquor has been recovered from the possession of the petitioner, I deem it fit and



proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, Patna in connection with Paliganj P.S. Case No. 59 of 2022.

(Mohit Kumar Shah, J)

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