

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72844 of 2022

Arising Out of PS. Case No.-719 Year-2022 Thana- MAHUA District- Vaishali

SANJIT KUMAR Son of Vishwanath Rai @ Vishwanath Ray R/V- Supaul
Tariya, P.S- Mahua, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under Sections 419, 420, 467, 468, 471/34 of the Indian Penal Code, 30(a), 32(i)(ii), 36, 37(c), 41(i) of Bihar Prohibition and Excise Act and Section 25 (1-b)a, 26, 35 of the Arms Act.

Prosecution case relates to recovery of 2543.310 litres of IMFL from the Truck and this petitioner was arrested on spot. He was checked by breath analyzer and it was found that he was in drunken condition and one pistol with empty cartridge was recovered from his possession.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has no concern



with the vehicle in question. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 25.02.2023 passed in Cr. Misc. No. 71929 of 2022 analogous with Cr. Misc. No. 74499 of 2022. Petitioner is languishing in judicial custody since 19.11.2022.

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 Exclusive Special Prohibition and Excise 2nd-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Mahua P.S. Case No. 719 of 2022.

(Sunil Kumar Panwar, J)

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