

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71126 of 2022**

Arising Out of PS. Case No.-485 Year-2022 Thana- TAJPUR District- Samastipur

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Rohit Kumar S/O Dilip Ray Resident Of Village- Dumri Diyara More, P.S.  
Patory, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**  
For the Petitioner/s : Mr.Vijay Anand  
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      06-01-2023                      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 272,  
273/34 of the Indian Penal Code and Section 30(a) of  
the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 112.32  
litres of Indian Made Foreign Liquor from a vehicle  
bearing registration No. BR-31AL-2084. Petitioner along  
with co-accused, Nishu Kumar, arrested on spot.

Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the vehicle in question. Nothing incriminating has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 18.10.2022. It is further submitted that similarly situated co-accused person has been granted Bail vide order dated 24.12.2022 in Cr. Misc. no. 68110 of 2022 by the co-ordinate Bench of this Court

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 Court of Special Excise Court No. 2, Samastipur in connection with Tajpur (Halai



O.P.) P.S. Case No. 485 of 2022.

(Sunil Kumar Panwar, J)

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