

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13868 of 2024**

Arising Out of PS. Case No.-73 Year-2021 Thana- RANIGANJ District- Araria

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Vishwajeet Kumar @ Vishvajeet Kumar Son of Kartik Mandal Resident of  
Village-Pachira, Police Station-Raniganj, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arun Mandal, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      04-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Raniganj P.S. Case No. 73 of 2021 corresponding to Special  
Case No. 261 of 2021 instituted for the offences under Section  
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The petitioner has earlier moved before this Court  
with a prayer for anticipatory bail which was dismissed vide  
order dated 10.12.2021 passed in Cr. Misc. No. 43757 of 2021.

4. As per prosecution case, the police has recovered  
214.560 liter foreign liquor of different brands from the Maruti  
car bearing Registration No. BR38H-3215 and the bathroom of  
co-accused Pappu Sharma.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The name of the petitioner has transpired in this case during investigation on the basis of the confessional statement of co-accused Pappu Sharma. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is not the owner of the alleged car. The petitioner has three criminal antecedents as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 03.10.2023. Charge-sheet has been submitted in this case.

6. Learned counsel for the petitioner again submits that the co-accused Pappu Sharma has been granted bail by a Co-ordinate Bench of this Court vide order dated 03.02.2022 passed in Cr. Misc. No. 43094 of 2021.

7. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Considering the entire facts and circumstances of



the case and taking into account the period of custody of the petitioner as also the prayer for bail based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raniganj P.S. Case No. 73 of 2021corresponding to Special Case No. 261 of 2021.

**(Rudra Prakash Mishra, J)**

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