

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13480 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- SARAI RANJAN District- Samastipur

Sanjeev Kumar @ Jhallu Ray S/o Tewari Rai @ Tiwari Ray R/o vill - Surmar
Meyari (Bajitpur), P.S. - Sarairanjan, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App.84)

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

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sarairanjan P.S. Case
No. 271 of 2023, instituted for the offences punishable under
Sections 30(a), 41(i) and 42(ii) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 1417.5 liters
liquor was recovered from different vehicles.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern



with the alleged recovery of liquor. It is further submitted that petitioner is not owner/ driver/ helper of the seized vehicles. The petitioner is in custody since 20.01.2024 and has got two criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted anticipatory bail by Co-ordinate Benches of this Court vide order dated 18.12.2023 passed in Cr. Misc. No. 76644 of 2023, order dated 05.01.2024 passed in Cr. Misc. No. 759 of 2024, order dated 23.01.2024 passed in Cr. Misc. No. 84145 of 2023 and further the Co-ordinate Benches of the Court granted regular bail vide order dated 05.12.2023 passed in Cr. Misc. No.76263 of 2023, order dated 11.12.2023 passed in Cr. Misc. No. 79554 of 2023 and order dated 10.01.2024 passed in Cr. Misc. No. 85773 of 2023. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released 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 Court
below/concerned Court in connection with Sarairanjan P.S. Case
No. 271 of 2023.

(Rudra Prakash Mishra, J)

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