

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.759 of 2024

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

Sanjay Kumar Singh @ Sanjay Kumar Son Of Ram Ashish Singh Resident Of
Chak Motipur, P.S. - Tajpur, District - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Sarairanjan PS Case No. 271 of 2023 dated 25-09-2023, instituted under Sections 30(a), 41(i) and 41(ii) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. It is alleged that a total of 1417,500 liters of Indian Made Foreign Liquor (IMFL) has been recovered from three vehicles. Three persons were apprehended from the spot, who disclosed the name of eleven persons, but the eleven accused managed to escape from the spot. The petitioner is one of them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that petitioner was neither arrested from the spot nor any recovery was made from his conscious



possession. It is further submitted that the vehicles in-question does not belong to the petitioner. The petitioner has no concern with the alleged recovery or the vehicles from which it was recovered. It is submitted that petitioner has been made accused only on the basis of disclosure made by co-accused, namely, Mithilesh Kumar, who was apprehended at the spot. The petitioner has no criminal antecedents, as per statement made in paragraph No.3 of the bail petition.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise) 2nd Samastipur, in Sarairanjan PS Case No. 271 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

U		T	
---	--	---	--

