

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3124 of 2019**

Arising Out of PS. Case No.-331 Year-2018 Thana- MAHESI District- East Champaran

Bijendra Bhagat @ Ram Snehi Bhagat Basdev Bhagat @ Basudev Bhagat,  
Resident of Village- Bathna, P.S. Mehshi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar. Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jitendra Narain Sinha  
For the Opposite Party/s : Mr.Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      23-01-2019                      Heard the learned counsel for the petitioner and the  
learned counsel for the State.

The petitioner seeks regular bail in connection with Mehshi PS case no. 331 of 2018 registered for the offence punishable under Sections 30(a), 38 and 41 of the Bihar Excise & Prohibition Act, 2016.

The allegation is regarding recovery of 171.72 liters of foreign liquor from a poultry farm of one Basudeo Bhagat and the petitioner was caught while fleeing away from the farm.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and infact, no recovery has been made from the conscious possession of the petitioner as well as the said farm does not



belong to the petitioner. It is further submitted that the petitioner is having a clean antecedent and he is languishing in custody since 01.11.2018. Lastly, it is submitted that the similarly situated co-accused has already been granted bail vide order dated 27.11.2018 passed in Cr. Misc. no. 67601 of 2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of 7<sup>th</sup> Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari in connection with Mehshi PS case no. 331 of 2018.

**(Mohit Kumar Shah, J)**

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