

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28132 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- SINGHIYA District- Samastipur

DEVNATH PATHAK S/o Late Jageswar Pathak Resident of Village-
Shumbha, P.S.- Singhia, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-12-2021 Heard the learned counsel appearing for the petitioner
and Ms. Anita Kumari Singh, learned A.P.P. appearing for the
State.

The petitioner seeks regular bail in connection with
Singhia P.S. Case No. 15 of 2021 (Computer Registration No.
125 of 2021) for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016. .

The allegation is regarding recovery of 626 liters of illicit
liquor from a hut stated to be that of the petitioner.

The learned counsel for the petitioner has submitted that
the petitioner is innocent and he has been falsely implicated in
the present case. It is further submitted that the petitioner is
languishing in custody since 03.02.2021. The learned counsel
for the petitioner has next submitted that the said hut in



question is situated in an open place, hence the possibility of the illicit liquor being planted therein cannot be ruled out.

Per contra, Ms. Anita Kumari Singh, learned APP appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail upon him furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Samastipur in connection with Singhia P.S. Case No. 15 of 2021 (Computer Registration No. 125 of 2021).

(Mohit Kumar Shah, J)

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