

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28135 of 2021**

Arising Out of PS. Case No.-311 Year-2020 Thana- MOTIPUR District- Muzaffarpur

PAWAN KUMAR Son of Sri Binda Pandit Resident of Village- Kalyanpur
Harauna, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Verma, Advocate

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

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

2 07-12-2021 Heard the learned counsel appearing for the petitioner
and learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Motipur P.S. Case No. 311 of 2020 for the offence punishable
under Sections 30(a)/41(1) (2) of the Bihar Prohibition and
Excise Act, 2018.

The allegation is regarding recovery of illicit country
made liquor from behind the house of the petitioner along with
a motorcycle.

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 motorcycle in
question does not belong to the petitioner and no illicit liquor



has been recovered either from the conscious possession of the petitioner or from his house. Lastly, it is submitted that the petitioner is languishing in custody since 11.02.2021.

Per contra, the 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 Special Judge (Excise Act), Muzaffarpur in connection with Motipur P.S. Case No. 311 of 2020.

(Mohit Kumar Shah, J)

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