

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30623 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- SONBERSA District- Sitamarhi

SHYAM KUMAR SON OF KISHORI PRASAD Resident of Village - Maivi,
P.S.- Bathnaha, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2021 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
Sonbarsa P.S. Case No. 10 of 2021 for the offence punishable
under Sections 414, 467, 468/34 of the Indian Penal Code and
Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 382 litres of illicit
liquor from three vehicles and as far as the vehicle in which the
petitioner was sitting is concerned, 180 litres of illicit liquor is
alleged to have been recovered.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is



languishing in custody since 11.01.2021. The learned counsel for the petitioner has further submitted that the co-accused persons have been granted bail vide order dated 06.10.2021 and 21.10.2021 passed in Criminal Misc. No. 36033 of 2021 and Criminal Misc. No. 29237 of 2021 respectively. The learned counsel for the petitioner has next submitted by referring to paragraph no. 13 of the present petition that the vehicles in question from where recovery of illicit liquor has been made do not belong to the petitioner.

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 parity of case of the petitioner with that of the co-accused who have already been granted bail by a coordinate Benches of this Court, 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 A.D.J.-II-cum-Special Judge,
Excise Act, Sitamarhi in connection with Sonbarsa P.S. Case
No. 10 of 2021.

(Mohit Kumar Shah, J)

S.Sb/-

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

