

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31006 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

Ashok Sah Son Of Nand Kishore Sah @ Kishore Sah R/O Village- Muradpur
Dullah Ward No.-7, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-12-2021 At the outset, the learned counsel for the petitioner has submitted that the petitioner has not availed the privilege of provisional bail, which was granted to him vide order dated 27.08.2021.

Heard.

The petitioner seeks regular bail in connection with C-1 Case No. 35 of 2021 for the offence punishable under Section 30(1) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of illicit liquor from a truck in which the petitioner is stated to be a passenger and was arrested from the spot.

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 is languishing in custody since 15.02.2021. The learned counsel for the petitioner, by referring to paragraph no. 10 of the present petition has submitted that the petitioner is having no concern either with the illicit liquor or



with the truck in question.

Per contra, Shri Lakshmi Kant Sharma, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner has categorically averred in the present petition that he is not having any concern with the truck in question, from which illicit liquor has been recovered, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Purnea in connection with C-1 Case No. 35 of 2021.

(Mohit Kumar Shah, J)

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