

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32271 of 2021

Arising Out of PS. Case No.-334 Year-2020 Thana- MANJHAGARH District- Gopalganj

KAVI SINGH S/o Babunand Singh R/o Village- Chhotki Dhamapakar, P.S.-
Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-12-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State, Sri Nand Kishore Prasad.

The petitioner seeks regular bail in connection with Manjhagarh P.S. Case No. 334/2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and



Excise Act.

The allegation is regarding recovery of 112 liters of illicit liquor from a sack recovered from near the house of Mantu Singh.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 1.3.2021. The learned counsel for the petitioner has further submitted that neither any recovery of illicit liquor has been made from the conscious possession of the petitioner nor from his house nor the place from where the illicit liquor has been recovered belongs to the petitioner.

Per contra, the learned APP 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 fact that the illicit liquor has neither been recovered



from the conscious possession of the petitioner nor from his house, apart from the fact that the petitioner is languishing in custody since 1.3.2021, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge 2nd cum Special Judge Excise, Gopalganj in connection with Manjhagarh P.S. Case No. 334/2020.

(Mohit Kumar Shah, J)

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