

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32255 of 2021

Arising Out of PS. Case No.-391 Year-2020 Thana- BELHAR District- Banka

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PRAKASH KORHA SO LATE RAM TAHAL KORHA R/o village-
Kharodha, P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Adv.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-12-2021 Learned counsel for the petitioner is permitted to

make necessary corrections in the prayer portion of the instant

bail application regarding PS Case Number.

Heard Mr. Pranav Kumar Jha, learned counsel for the
petitioner and Mr. Amit Kumar Rakesh, Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with
Special Excise Case No. 575/2020 arising out of Belhar PS Case
No. 391/2020 registered for the offences punishable under
Sections 30(a)/37(c) of Bihar Prohibition & Excise Act, 2016.

The allegation, as per prosecution case, is that 25
litres of illicit liquor has been recovered from the
lounge/verandah of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case by the police



with oblique motive and he has not committed any offence in the manner alleged. Learned counsel further submits that an altercation had taken place between the petitioner and the police and he has been implicated by the police on the basis of false breath analyzer report which would be evident from the document attached with the FIR available at page-15 of the instant petition, in which the name of the driver and vehicle number have been mentioned whereas allegation is that the illicit liquor has been recovered from the petitioner and the petitioner was found to be drunken.

Learned counsel for the petitioner further submits that the petitioner is in custody since 10.10.2020 and the charge-sheet in the matter has been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that that the petitioner is in custody since 10.10.2020 and the charge-sheet in the matter has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, PRAKASH KORHA be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-



II, Banka in connection with Special Excise Case No. 575/2020
arising out of Belhar PS Case No. 391/2020.

(Anil Kumar Sinha, J)

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