

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32149 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

JAI BHAGWAN Son of Karmveer Singh Resident of Village- Bhaizerakhurd,
P.S.- Sapla, District- Rohtak (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babita Kumari

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

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.

The petitioner seeks regular bail in connection with Ahiyapur P.S. Case No. 106/2021, registered for the offence punishable under Sections 272/273/34 of the Indian Penal Code and Sections 30(a)/36 of the Bihar Prohibition and Excise (Amendment) Act, 2018.



The allegation is regarding recovery of 612.450 liters of illicit liquor from a tourist bus.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 14.2.2021. The learned counsel for the petitioner has further submitted that the petitioner is not an FIR named accused person and his name has subsequently been roped in on account of disclosure made by the arrested co-accused persons. It is further submitted that the tourist bus does not belong to the petitioner and moreover, no illicit liquor has been recovered from 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 petitioner has not been named in the FIR and he is languishing in custody since 14.2.2021, 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 Special Judge, Excise, Muzaffarpur in connection with Ahiyapur P.S. Case No. 106/2021.

(Mohit Kumar Shah, J)

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