

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33262 of 2021**

Arising Out of PS. Case No.-329 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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PRADEEP SINGH @ MINTU SINGH @ MANTU SINGH Son of Bharat Singh Resident of Village- Harnathpur, Police Station- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.
For the Opposite Party/s : Mr.Renu Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 13-12-2021 Heard the learned counsel for the petitioner and the learned APP for the State, Ms. Renu Kumari.

The petitioner seeks regular bail in connection with Excise Case No. C-III Case No. 329 of 2019, registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018.

The allegation is regarding recovery of illicit liquor from the house of the co-accused persons and the petitioner was caught subsequently upon disclosure of his name by the arrested co-accused



persons.

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 21.12.2019. The learned counsel for the petitioner has further submitted that the petitioner has been neither arrested from the spot nor any illicit liquor has been recovered from his possession and his name has transpired on disclosure being made by the co-accused persons. The learned counsel for the petitioner has further submitted that one of the co-accused person has already been granted bail by this Court.

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 not been recovered from



the conscious possession of the petitioner, 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 2nd Additional District and Sessions Judge cum Special Judge, Excise, Siwan in connection with Excise Case No. C-III-329 of 2019.

(Mohit Kumar Shah, J)

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