

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33234 of 2021**

Arising Out of PS. Case No.-195 Year-2020 Thana- BUNIYAD GANJ District- Gaya

LAL PATWA @ LOKNATH KUMAR Son of Deendayal Prasad @ Dindayal Prasad Resident of Village- Manpur, Baijnath Sahay Lane, Police Station- Buniyadganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mukesh Kumar Singh, 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 Mukesh Kumar Singh.

The petitioner seeks regular bail in connection with Buniyadganj P.S. Case No. 195/2020 (CIS 1724/2020), registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act,



2018.

The allegation is regarding recovery of 135 liters of illicit foreign liquor and 24 liters of beer from the house of Moti Tanti and the petitioner is stated to be his accomplice.

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 2.2.2021. The learned counsel for the petitioner has further submitted that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor from his house and he has been roped in the present case with oblique motives.

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 he is languishing in custody since 2.2.2021, 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 Additional Sessions Judge-IInd-cum-Special Judge of Excise Act, Gaya in connection with Buniyadganj P.S. Case No. 195 of 2020 (CIS 1724/2020).

(Mohit Kumar Shah, J)

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