

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36308 of 2021

Arising Out of PS. Case No.-216 Year-2020 Thana- BACHHWARA District- Begusarai

BIROCHINI KUMAR Son of Surendra Sahni Resident of Village-Suro
Bahiya Tola, Police Station-Bachhwara, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bachhwara P.S. Case No. 216/2020, registered for the offence punishable under Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 75 liters of illicit country made liquor from a field situated across the river.

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 7.3.2021. The learned counsel for the petitioner has further submitted that the place from where the illicit country made liquor has been recovered does not belong 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 place from where the illicit liquor has been recovered does not belong to the petitioner and moreover, the petitioner is languishing in custody since 7.3.2021, 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 Special Judge, Excise Act, Begusarai in connection with Bachwara P.S. Case No. 216/2021.

(Mohit Kumar Shah, J)

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