

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36362 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- MINAPUR District- Muzaffarpur

SHYAMBABU PRASAD @ SHYAMBABU Son of Late Basudeo Prasad
Resident of Village - Rapauli, P.S.- Meenapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

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 A.P.P. for the State.

The petitioner seeks regular bail in connection with
Meenapur P.S. Case No. 45 of 2021 for the offence registered
under Sections 272, 273/34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 21.510 litres
of illicit liquor from a pick up van belonging to one Tinku
Bhagat. The name of the petitioner has transpired in the present
case upon disclosure made by the driver of the pick up van who
was arrested from the spot.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 22.03.2021. The learned counsel for the



petitioner has further submitted that neither the place from where the illicit liquor has been recovered belongs to the petitioner nor the vehicle in question belongs to the petitioner.

Per contra, the learned counsel 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 is neither the owner of the vehicle in question nor the place from where the illicit liquor has been recovered belongs to the petitioner, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Meenapur P.S. Case No. 45 of 2021.

(Mohit Kumar Shah, J)

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