

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36385 of 2021

Arising Out of PS. Case No.-174 Year-2016 Thana- AKBARPUR District- Nawada

SHANTI YADAV S/o Late Hari Yadav @ Harilal Yadav R/o village-
Mastaganj, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, 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
Akbarpur P.S. Case No. 174 of 2016 for the offence registered
under Section 47(a) of the Bihar Prohibition and Excise
Amendment Act, 2018.

The allegation is regarding recovery of 70 litres of
illicit liquor from a boring house.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 03.02.2021.
The learned counsel for the petitioner has further submitted by
referring to paragraph no. 8 of the present petition that the
boring house in question from where the illicit liquor has been



recovered, does not belong 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 boring house from where the illicit liquor has been recovered, does not belong to the petitioner and he is languishing in custody since 03.03.2021, 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 Additional District and Sessions Judge-II-cum-Special Judge, Nawada in connection with Akbarpur P.S. Case No. 174 of 2016.

(Mohit Kumar Shah, J)

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