

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37057 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- BARUN District- Aurangabad

MALKHAN SINGH Son of Late Rambachan singh Resident of Village -
Badwan, P.S. - Nabinagar, Dist. - Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, 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
G.R. No. 241/2021 arising out of Barun P.S. Case No. 40 of
2021 for the offence registered under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 870 litres of
illicit liquor from a Tata Sumo vehicle and the petitioner was
found sitting in the said vehicle.

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 24.02.2021.
The learned counsel for the petitioner has referred to paragraph
no. 8 of present petition to submit that the vehicle in question/



illicit liquor seized from the said vehicle 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 petitioner is not the owner of the vehicle in question and he is languishing in custody since 24.02.2021, 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 Sessions Judge-II-cum-Special Judge (Excise), Aurangabad in connection with Barun P.S. Case No. 40 of 2021.

(Mohit Kumar Shah, J)

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