

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38292 of 2021**

Arising Out of PS. Case No.-245 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

BRAJESH SINGH S/O SUDARSHAN SINGH R/o village- Jagdishpur, P.S.-
Buxar (M), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta
For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

4 14-12-2021 Heard.

The petitioner seeks regular bail in connection with Buxar (M) P.S. Case No. 245 of 2019 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 5312.160 liters of illicit liquor from a truck.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 06.03.2021. The learned counsel for the petitioner has referred to paragraph no. 9 of the present petition to submit that the petitioner has no concern either with the seized truck or with the illicit liquor seized by the police.



Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the truck in question as also he is in custody since 06.03.2021, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd -cum-Special Judge (Excise Act), Buxar in connection with Buxar (M) P.S. Case No. 245 of 2019.

(Mohit Kumar Shah, J)

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