

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38924 of 2021

Arising Out of PS. Case No.-173 Year-2020 Thana- PHULWARISHARIF District- Patna

PUTTU @ JITENDRA RAI Son of Sri Ramashish Yadav Resident of Village-
Mahuabag, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021

Heard.

The petitioner seeks regular bail in connection with Phulwari Sharif P.S. Case No. 173 of 2020 for the offence punishable under Sections 30(A) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 2080.71 liters of illicit foreign liquor from a abandoned house at village Hinduni.

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 22.3.2021. The learned counsel for the petitioner has further submitted by referring to paragraph No. 8 of the present petition that the petitioner has got no concern with the abandoned house from



which the illicit liquor has been seized.

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 house from where the illicit liquor has been recovered and is stated to be languishing in custody since 22.3.2021, 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 Special Judge Excise, Patna in connection with Phulwari Sharif P.S. Case No. 173 of 2020.

(Mohit Kumar Shah, J)

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