

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39419 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- AHYAPUR District- Muzaffarpur

SAHIL KUMAR @ KISHAN KUMAR Son of Madan Gopal @ Prakash
Kumar Resident of Village - Madipur, P.S. Punjabi Bagh, District - West
Delhi (Delhi).

... .. Petitioner/s

Versus

THA STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

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 APP for the State.

The petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 106/2021, registered for the offence
punishable under Sections 272/273/34 of the Indian Penal Code
and Section 30(a)/36 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 612.450
liters of illicit liquor from a tourist bus and a van.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, he has been falsely
implicated in the present case, he is having a clean antecedent
and he is languishing in custody since 12.2.2021. The learned
counsel for the petitioner has further submitted by referring to



paragraph no. 10 of the present petition that the vehicles in question do not belong to the petitioner and a false allegation has been levelled against the petitioner.

Per contra, the learned APP 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 period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Ahiyapur P.S. Case No. 106/2021.

(Mohit Kumar Shah, J)

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