

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39281 of 2021

Arising Out of PS. Case No.-140 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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RAHUL KUMAR S/o Chhatish Singh R/o Vill- Lakho Nipaniya Tol, Ward
No.03, P.S.- Muffasil (Lakho O.P.), Dist- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Mukteshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 At the outset, the learned counsel for the petitioner

seeks to make certain correction in paragraph-1 of the present

petition.

Permission is granted.

He may do so, during the course of the date.

Heard.

The petitioner seeks regular bail in connection with

Complaint Case No. 140-C2 of 2021 for the offence punishable

under Sections 30(a) of the Bihar Prohibition and Excise

(Amendment) Act, 2018.

The allegation is regarding recovery of 72 liters of

illicit liquor from the open Veranda of the house of the

petitioner.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 27.06.2021. The learned counsel for the petitioner has further submitted that since the illicit liquor has been recovered from the open veranda, the possibility of the same being planted by someone cannot be ruled out.

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 period of incarceration, 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-II -cum- Special Judge (Excise Act), Begusarai in connection with Complaint Case No. 140-C2 of 2021

(Mohit Kumar Shah, J)

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