

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39882 of 2021**

Arising Out of PS. Case No.-45 Year-2021 Thana- MINAPUR District- Muzaffarpur

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DHIRAJ KUMAR Son of Mr. Tejnarayan Prasad Resident of Village-
Bishunpur, Majhauri, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. A.G

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

2 14-12-2021

Heard.

The petitioner seeks regular bail in connection with Minapur P.S. Case No. 45 of 2021 for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

The allegation is regarding recovery of 1513.770 liters of illicit liquor from the pick up vehicle standing at the brick kiln and the petitioner is stated to have fled away from the spot.

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 19.02.2021. The learned counsel for the petitioner has further submitted by referring to paragraph No. 9 of the present petition that



the petitioner is neither the owner of the brick kiln nor of the pick up vehicle in question.

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 neither the owner of the brick kiln nor the pick up van in question and more over, he is in custody since 19.2.2021, 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 Act, Muzaffarpur in connection with Minapur P.S. Case No. 45 of 2021.

(Mohit Kumar Shah, J)

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