

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39943 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- SONBERSA District- Sitamarhi

MANISH KUMAR Son of Laxman Chaudhari Resident of Village- Sonbarsa,
P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard.

The petitioner seeks regular bail in connection with Sonbarsa P.S. Case No. 10 of 2021 for the offence punishable under Sections 414, 467, 468/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of illicit wine from some vehicles 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 23.02.2021. The learned counsel for the petitioner has further submitted by referring to paragraph No. 12 of the present petition that the petitioner is neither the owner nor the driver of the vehicle in question nor he is owner of the



motorcycle 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 nor the driver of the vehicle from which the illicit liquor has been recovered and he is stated to be languishing in custody since 23.02.2021, 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 Addl. District & Sessions Judge II-cum-Special Judge (Excise), Sitamarhi in connection with Sonbarsa P.S. Case No. 10 of 2021.

(Mohit Kumar Shah, J)

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