

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40081 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- BARHIYA District- Lakhisarai

ROUSHAN KUMAR Son of Binay Singh Resident of Maranchi South P.S.
Maranchi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

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
Badhiya P.S. Case No. 57 of 2021, registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of 602.250 liters of
illicit foreign liquor from a white colour pick up van.

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 he is
languishing in custody since 26.2.2021. The learned counsel
for the petitioner has further submitted that admittedly, the
pick up van in question does not belong to the petitioner. It is
also submitted that similarly situated co-accused person has



already been granted bail by a co-ordinate Bench of this Court vide order dated 8.10.2021 passed in Cr. Misc. No. 41403 of 2021.

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 parity of the case of the petitioner with that of the co-accused person who have already been granted bail by a co-ordinate Bench of this Court, 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 A.D.J. II cum Special Judge, Excise Act, Lakhisarai in connection with Badhiya P.S. Case No. 57 of 2021.

(Mohit Kumar Shah, J)

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