

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42041 of 2021

Arising Out of PS. Case No.-103 Year-2019 Thana- MAJORGANJ District- Sitamarhi

DEVENDRA SAH Son of Haru Sah @ Rameshar Shah Resident of Village-
Panchhor (Banhan Gama), P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Mejorganj P.S. Case No. 103/2019, registered for the offence punishable under Sections 414/273/273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 2972 liters of illicit liquor from a pick-up van.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and



he is languishing in custody since 5.4.2021. The learned counsel for the petitioner, by referring to paragraph no. 10 of the present petition, has submitted that the petitioner is neither the owner nor the driver of the seized vehicle and in fact, his name has transpired in the present case on account of him being falsely implicated by the village chaukidar.

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 fact that the petitioner has made a categorical statement that he is neither the owner nor the driver of the seized vehicle and moreover, no illicit liquor has been recovered either from the conscious possession of the petitioner or from his house, 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 ADJ II-cum-Special Judge (Excise), Sitamarhi in connection with Mejorgunj P.S. Case No. 103/2019.

(Mohit Kumar Shah, J)

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