

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42974 of 2021**

Arising Out of PS. Case No.-130 Year-2021 Thana- GAYA KOTWALI District- Gaya

SUJEET KUMAR Son of Vinod Manjhi Resident of Village- Tiwarichak,
P.S.- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey(APP)

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

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

The petitioner seeks regular bail in connection with
Kotwali P.S. Case No. 130 of 2021 corresponding to C.I.S. No.
595 of 2021 for the offence registered under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 106.800 litres
of illicit foreign liquor and 96 litres of beer from a vehicle.

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 23.03.2021. The learned counsel for the
petitioner has further submitted that since the petitioner is
merely the driver of the vehicle in question, he was not having



any knowledge about the contents of the consignment loaded on the vehicle in question.

Per contra, the learned counsel 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 period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge of Excise Act, Gaya in connection with Kotwali P.S. Case No. 130 of 2021 corresponding to C.I.S. No. 595 of 2021.

(Mohit Kumar Shah, J)

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