

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43138 of 2021**

Arising Out of PS. Case No.-83 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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MOHAN KUMAR S/O SRI RAJESH RAI @ RAJESH KUMAR R/o village-
Salempur, P.S.- Lalganj, Distt.- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, APP

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**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
Excise Case No. 83 of 2021 for the offence registered under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

The allegation is regarding recovery of 125.010 litres
of illicit liquor from a Hyundai car.

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 16.03.2021. The learned counsel for the
petitioner has further submitted by referring to paragraph no. 9
of the present petition that the seized Hyundai car does not



belong to the petitioner and he has been falsely implicated in the present case merely on suspicion.

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 fact that the petitioner is not the owner of the car in question, 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, Excise, Gopalganj in connection with Excise Case No. 83 of 2021.

(Mohit Kumar Shah, J)

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