

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32936 of 2020

Arising Out of PS. Case No.-712 Year-2019 Thana- MAHUA District- Vaishali

Sumit @ Chandan @ Sumit Kumar Singh Son of Umesh Singh @ Umesh Prasad Resident of Village - Mahua Singh Rai, Police Station - Mahua, District - Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in connection with Mahua P.S. Case No. 712 of 2019 registered under Sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act.

It is submitted by the learned counsel for the petitioner that the petitioner has been made scapegoat by the S.H.O. of Mahua Police Station in the present case. He is in custody since 17.08.2020. There is no recovery of illicit liquor either from his conscious possession or from his house or from any vehicle belonging to him. The entire case against the petitioner is based on wild suspicion and hypothetical



presumption.

On the other hand, learned counsel appearing for the State submitted that pursuant to the recovery of 540 litres of wine from a pick-up van, it transpired that the petitioner along with nine others are involved in the illegal trade of liquor. He contended that the petitioner has criminal antecedent.

Having heard the parties, since no direct material has come against the petitioner to connect him with the offence alleged and the investigation of the case is complete, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Mahua P.S. Case No. 712 of 2019.

(Ashwani Kumar Singh, J)

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