

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44299 of 2021**

Arising Out of PS. Case No.-8 Year-2021 Thana- JAYRAMPUR District- Sheikhpura

KANHAIYA KUMAR S/O LATE YADU NANDAN PRSAD R/o village-
Pank, P.S.- Jairampur, District- Sheikhpura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.
For the Opposite Party/s : Ms.Madhuri Lata, APP

**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
Excise Case No. 141 of 2021 arising out of Jairampur P.S.
Case No. 08 of 2021, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

The allegation is regarding recovery of 1445.97 liters of
illicit English wine from a Government tube well.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 21.4.2021.
The learned counsel for the petitioner has further submitted
that no illicit liquor has been recovered either from the



conscious possession of the petitioner or from his premises.

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 no recovery has been made either from the conscious possession of the petitioner or from his house and the petitioner is stated to be languishing in custody since 21.4.2021, 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 Additional District and Sessions Judge II, Sheikhpura in connection with Excise Case No. 141 of 2021 arising out of Jairampur P.S. Case No. 08 of 2021.

(Mohit Kumar Shah, J)

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