

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45854 of 2021

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

RAJEEV KUMAR Son of Late Yadu Mahto Prasad Resident of 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 : Mr.Tarkeshwar Nath Thakur, 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, is having a clean antecedent 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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