

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49287 of 2021**

Arising Out of PS. Case No.-373 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

SUNIL BIND Son of Pyare Bind @ Ram Pyare Bind Resident of Village -
Dumariya, P.S.- Chainpur, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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

2 15-12-2021 Heard the learned counsel for the petitioners and the
learned APP for the State.

The petitioner seek regular bail in connection with
Excise Case No. 991 of 2020 arising out of Chainpur P.S. Case
No. 373 of 2020, registered for the offence punishable under
Section, 30(a) & 30(d) of the Bihar Prohibition and Excise
Amendment Act, 2018.

The allegation is regarding recovery of articles used for
manufacturing country made liquor, 40 liters of country made
illicit liquor and 75 Kg. of Jawa Mahua, apart from some other
materials from the forest area.

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 stated to



have been remanded in the present case on 8.6.2021. The learned counsel for the petitioner has further submitted that it is alleged that various quantities of illicit country made liquor and raw materials used for making illicit country made liquor were recovered from various places situated in an open forest area and not either from the conscious possession of the petitioner or from his house, hence the petitioner cannot be saddled with the liability of the seized articles/ country made liquor

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 illicit liquor was recovered either from the conscious possession of the petitioner or from his house, 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 Addl. Sessions Judge 2nd cum Spl.
Judge, Kaimur at Bhabua in connection with Excise Case No.
991 of 2020 arising out of Chainpur P.S. Case No. 373 of 2020.

(Mohit Kumar Shah, J)

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