

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37976 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- MATIHANI District- Begusarai

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VARUN KUMAR Son of Girdhari Prasad Singh Resident of Village-
Godargama, P.S.-Matihani, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr. B.K. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-02-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Matihani P.S. Case No. 11 of 2020 for the offence registered
under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2016.

The allegation is regarding recovery of 702 litres of
illicit liquor from the orchard of the brother of the petitioner.

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 is languishing in
custody since 11.07.2020. The learned counsel for the
petitioner has further submitted that as far as the petitioner is
concerned, no recovery of illicit liquor has been made from the



conscious possession of the petitioner and the orchard from where the illicit liquor has been recovered also does not belong to the petitioner.

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 considering the fact that the orchard from where the illicit liquor has been recovered, does not belong to the petitioner and moreover he is having a clean antecedent, 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 Act, Begusarai in connection with Matihani P.S. Case No. 11 of 2020.

(Mohit Kumar Shah, J)

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