

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51884 of 2021

Arising Out of PS. Case No.-295 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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PRADUMAN PRASAD @ PRADUMAN KUMAR S/O ASHOK MAHTO
R/o village- Bari Pahari, P.S.- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shovendra Kumar
For the Opposite Party/s : Mr.A.G.

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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 P.R.
Agamkuan P.S. Case No. 295 of 2021, registered for the
offence punishable under Section 30(a)/ 32(1)/32(3)/41(1)/
41(2) of the Bihar Prohibition and Excise Act (Amendment),
2016.

The allegation is regarding recovery of 100 liters of
illicit liquor from a tempo.

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 6.3.2021.
The learned counsel for the petitioner has submitted by



referring to paragraph no.8 of the present petition that he has got no connection either with the seized liquor or with the tempo and he was merely a passenger in the said tempo.

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 the petitioner is neither the owner nor the driver of the tempo in question and he is languishing in custody since 6.3.2021, 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 Special Judge, Excise Act, Patna in connection with P.R. Agaliam P.S. Case No. 295 of 2021.

(Mohit Kumar Shah, J)

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