

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59353 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- MINAPUR District- Muzaffarpur

LALAN KUMAR Son of Lal Babu Prasad Resident of Village - Mahdeiya
(Mahdeya), P.S. - Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Ms.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Minapur P.S. Case No. 45 of 2021 for the offence registered under
Sections 272, 273/34 of the Indian Penal Code and Section 30(a)
of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 1513.770 litres
of illicit liquor from a pick up vehicle. The name of the petitioner
is stated to have transpired upon disclosure made by the driver of
the vehicle in question namely Dhiraj Kumar who is stated to have
disclosed that the petitioner is one of his accomplice who was
dealing in illicit liquor.

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 16.08.2021. The learned counsel for the petitioner



has further submitted that admittedly the petitioner is neither the owner of the truck in question nor any illicit liquor has been recovered from the conscious possession of 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 taking into account the materials available on record as also considering the fact that the petitioner is neither the owner of the pick up van in question nor any illicit liquor has been recovered from the conscious possession of the petitioner, 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 Special Judge, Excise Act, Muzaffarpur in connection with Minapur P.S. Case No. 45 of 2021, G.R. No. 288 of 2021.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

