

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59376 of 2021

Arising Out of PS. Case No.-408 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

AKHILESH KUMAR Son of Mahendra Mahto R/O vill.- Mathurapur, P.S. -
Sahebganj, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Advocate
For the Opposite Party/s : Mr.Surendra Prasad Singh, 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
Sahebganj P.S. Case No. 408 of 2020 for the offence registered
under Sections 272, 273, 414/34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 530 litres of
illicit liquor from a Bolero vehicle which had fallen in a ditch
and it is further alleged that the accused persons including the
petitioner herein had stolen some illicit liquor from the said
vehicle in the night.

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 07.08.2021. The learned counsel for the



petitioner has next submitted that the petitioner has been implicated in the present case merely on suspicion and the vehicle in question 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 taking into account the materials available on record as also considering the period of incarceration of the petitioner herein apart from the fact that the vehicle in question does not belong to 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 Sahebganj P.S. Case No. 408 of 2020.

(Mohit Kumar Shah, J)

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