

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60118 of 2021**

Arising Out of PS. Case No.-621 Year-2020 Thana- KHAGARIA District- Khagaria

OMKAR KUMAR @ RAUSHAN KUMAR @ ONKAR KUMAR S/o  
Naresh Prasad Sah R/o Village- Bhadas (South), P.S.- Mayasil, Distt.  
Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shri Prakash Tiwari, Advocate  
For the Opposite Party/s : Ms.Rita Verma, 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  
Khagaria (Muffasil) P.S. Case No. 621 of 2020 for the offence  
registered under Section 30(a) of the Bihar Prohibition and Excise  
(Amendment) Act, 2018.

The allegation is regarding recovery of huge quantity of  
illicit liquor from a truck.

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 15.06.2021.  
The learned counsel for the petitioner has further submitted by  
referring to paragraph no. 6 of the present petition that the  
petitioner is neither the owner of the truck in question nor the  
seized illicit liquor has been recovered from his conscious



possession. It has been also submitted by the learned counsel for the petitioner that the name of the petitioner has subsequently come during the course of investigation after eight months of lodging of the FIR and he has been merely roped in the present case on suspicion.

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 neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the petitioner is owner of the truck in question, 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), Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 621 of 2020.

**(Mohit Kumar Shah, J)**

S.Sb/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

