

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60504 of 2021

Arising Out of PS. Case No.-60 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

LAXMI RAI @ LAKSHMI KUMAR YADAV S/o LATE SAKAL DEV RAI
R/o VILLAGE-SHEKHPURA, P.S- AHIYAPUR, DISTRICT-
MUZAFFARPUR, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Sumit Shekhar Pandey, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard Yogesh Chandra Verma, the learned senior
counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 60 of 2021 for the offence registered
under Sections 272, 273, 420, 467, 468, 471/34 of the Indian
Penal Code and Sections 30(a), 36 and 41 of the Bihar Prohibition
and Excise Act, 2016.

The allegation is regarding recovery of huge quantity of
illicit liquor from a truck and the name of the petitioner has
transpired in the present case on the basis of the confessional
statement made by the driver of the truck in question.

The learned senior 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 16.08.2021. The learned senior counsel for the petitioner



has further submitted that the truck in question does not belong to the petitioner and no 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 senior counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither any liquor has been recovered from the conscious possession of the petitioner nor the petitioner is stated to be the 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, Muzaffarpur in connection with Ahiyapur P.S. Case No. 60 of 2021.

(Mohit Kumar Shah, J)

S.Sb/-

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

