

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60969 of 2021

Arising Out of PS. Case No.-28 Year-2019 Thana- BELA INDUSTRIAL District-
Muzaffarpur

PRAMOD KUMAR Son of Jinish Mahto Resident of Village - Sakarwara,
P.S.- Gaighat, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, 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
Bela P.S. Case No. 28 of 2019 for the offence registered under
Sections 272, 273, 414 and 120(B) of the Indian Penal Code and
Sections 30(a), 38(1) and 41(1) of the Bihar Prohibition and
Excise Act.

The allegation is regarding recovery of 3790.080 litres
of illicit liquor from a truck and it is also alleged that one pick
up van was standing nearby, whose owner is stated to be the
petitioner herein.

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 28.07.2021. The learned counsel for the



petitioner has further submitted that admittedly the petitioner is not the owner of the truck in question and is stated to be the owner of the pick up van in question from which no illicit liquor has been recovered, hence the petitioner is having no complicity in the matter.

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 no illicit liquor has been recovered either from the conscious possession of the petitioner or from his pick up van, 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 Bela P.S. Case No. 28 of 2019.

(Mohit Kumar Shah, J)

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