

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61381 of 2021

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

PRABHAT KUMAR DAS Son of Ram Sobit Das @ Ram Lobhit Das
Resident of Village- Bhanaspatti, P.S.- Runni Saidpur, District- Sitamarhi
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tejendra Sinha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, 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
Ahiyapur P.S. Case No. 60 of 2021 for the offence registered
under Sections 272, 273, 420, 467, 469, 471/34 of the Indian
Penal Code and Sections 30(a), 36 and 41 of the Bihar
Prohibition of Excise Act.

The allegation is regarding recovery of huge quantity
of illicit liquor from DCM truck, two Maruti Alto cars and one
motorcycle. The name of the petitioner has transpired in the
present case upon the driver having disclosed the name of the
co-accused persons as also the petitioner herein to be the
persons who regularly deal in the illicit trade of 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 27.08.2021. The learned counsel for the petitioner has further submitted that neither the petitioner has been arrested from the spot nor any illicit liquor has been recovered from the conscious possession of the petitioner nor the vehicles in question 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 fact that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the truck in question from which the illicit liquor has been recovered, belongs 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), Muzaffarpur
in connection with Ahiyapur P.S. Case No. 60 of 2021.

(Mohit Kumar Shah, J)

S.Sb/-

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

