

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61986 of 2021**

Arising Out of PS. Case No.-104 Year-2021 Thana- KURTHA District- Jehanabad

SHIV SHANKAR KUMAR Son of Rajeshwar Yadav Resident of Village-
Surajmal Bigha, P.S.- Banshi, District- Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 20-12-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 36 liters of country made liquor was recovered from the motorcycle on which petitioner was sitting.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner is neither the owner nor the driver of the vehicle in question. Petitioner is in custody since 28.3.2021. Investigation is complete.



Learned counsel appearing for the State opposes the prayer for bail and submits that the petitioner has got identical criminal antecedent.

Considering the rival submissions of the parties, let the petitioner, above named, 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 the court concerned in Excise Case No. 726/2021, Kurtha Police Station Case No. 104 of 2021, **once the charge is framed in the case.**

(Prabhat Kumar Singh, J)

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