

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64043 of 2021

Arising Out of PS. Case No.-737 Year-2020 Thana- MAHUA District- Vaishali

SANOJ KUMAR S/o Devanand Ray @ Devanand Rai Resident of Village -
Sadapur Mahua @ Ganagapur Mahua, P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Namrata Mishra, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, 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
Mahua P.S. Case No. 737 of 2020 for the offence registered
under Sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar
Prohibition and Excise Act, 2018.

The allegation is regarding recovery of huge quantity
of illicit liquor from a truck standing in an open space from
where the same was seized. It is further alleged that one co-
accused person namely Saroj Rai was arrested from the spot and
he is stated to have disclosed the name of the petitioner to be
one of his accomplice.

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 16.04.2021.



The learned counsel for the petitioner has further submitted that the petitioner has got no concern with the truck in question and no illicit liquor has been recovered from the conscious possession of the petitioner herein.

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 from the conscious possession of 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 Additional District & Session Judge, Excise Act, Vaishali at Hajipur in connection with Mahua P.S. Case No. 737 of 2020.

(Mohit Kumar Shah, J)

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