

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38714 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- RAJPUR District- Buxar

MANTU SINGH @ AMIT SINGH S/o Ramashish Singh @ Ram Ashish
Singh R/o village- Katariya, P.S.- Rajpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2022 Heard.

The petitioner seeks regular bail in connection with Rajpur P.S. Case No. 40 of 2021, registered for the offence punishable under sections 467, 468, 469, 471, 120B/34 of the Indian Penal Code and sections 30(a)(d) of Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of various quantities of illicit liquor from the semi-built house of the co-accused person namely Awadh Bihari Sah as also from the house of the co-accused person namely Shyam Narain Sah, some of the accused persons were arrested. It is further



alleged that the arrested co-accused persons had disclosed the names of other co-accused persons including the petitioner herein to be the persons who had fled away.

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 is languishing in custody since 14.03.2021. The learned counsel for the petitioner has further submitted that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor from his house and he has been falsely implicated in the present case merely on the disclosure made by the arrested co-accused persons, however, without any evidence regarding the complicity of the petitioner herein.

Per contra, Shri Ashok Kumar, the learned APP 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 parties 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 from his house, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional Sessions Judge-II-cum- Special Judge, Excise, Buxar in connection with Rajpur P.S. Case No. 40 of 2021.

(Mohit Kumar Shah, J)

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