

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39696 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- VAISHALI District- Vaishali

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SUJEET KUMAR S/O BHAGIRATH RAY R/o village- Mohamadpur
Manorath, P.S. and District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-01-2022 Heard.

The petitioner seeks regular bail in connection with Vaishali P.S. Case No. 96 of 2021, registered for the offence punishable under sections 272, 273, 414 of the Indian Penal Code read with section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 486.495 liters of illicit Indian foreign liquor from the hut of the co-accused person namely Santosh Kumar, and the petitioner is stated to be standing near the hut, from where he was apprehended by the police on suspicion.



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 19.3.2021. The learned counsel for the petitioner has further submitted that admittedly neither the hut in question, from which illicit liquor has been recovered, belongs to the petitioner nor any illicit liquor has been recovered from the conscious possession of the petitioner.

Per contra, Ms. Asha Devi, 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 the hut in question, from which the illicit liquor has been recovered, does not belong to the petitioner and no illicit liquor has been recovered from the conscious possession of the petitioner, 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 Excise Court, Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 96 of 2021.

(Mohit Kumar Shah, J)

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