

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41758 of 2021**

Arising Out of PS. Case No.-79 Year-2021 Thana- BRAHMPURA District- Muzaffarpur

SHANKAR JAISWAL @ SHANKAR PRASAD JAISWAL S/o Late
Mahabin Chaudhary Resident of Mohalla- Ayodhya Nagar Chandni Chowk
Banwari, Lal College road, P.S.- Brahmpura, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kanchan Kumari, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 03-01-2022 Heard.

The petitioner seeks regular bail in connection with
Brahmpura P.S. Case No. 79 of 2021, registered for the offence
punishable under Sections 30(c) of the Bihar Prohibition and
Excise Act, 2018.

The allegation is regarding recovery of 3 empty bottles
of liquor and some drums from the scrap shop of the petitioner.

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 16.6.2021.

Per contra, the learned APP appearing for the State has
vehemently opposed the prayer for regular bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no illicit liquor has been recovered from the scrap shop of the petitioner and only empty bottles of liquor have been recovered apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since a long time, I deem fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Muzaffarpur in connection with Brahmpura P.S. Case No. 79 of 2021.

(Mohit Kumar Shah, J)

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