

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40771 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- RAMGARH District- Kaimur (Bhabua)

SHIVJI RAM @ SHIV KUMAR RAM S/o Ram Ashish Ram R/o Village-
Badha,P.S.- Nuaon, Dist- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rewti Kant Raman, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Nuaon P.S. Case No. 34 of 2021 for the offence registered under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

The allegation is regarding the petitioner having been
apprehended by the police while he was driving a motorcycle and
43.590 litres of illicit liquor was recovered. It is also alleged that
the motorcycle in question was a stolen one.

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 06.02.2021. It is further submitted that
as far as the motorcycle in question is concerned, the petitioner was



not aware, at the time of purchasing the same, that the said motorcycle is a stolen one, hence it submitted that considering the period of incarceration, a lenient view may be taken for the purposes of grant of regular bail.

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 period of incarceration of the petitioner herein, 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 2nd Additional District and Sessions Judge, Kaimur cum Special Judge, Excise, Kaimur at Bhabhua in connection with Nuaon P.S. Case No. 34 of 2021.

(Mohit Kumar Shah, J)

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