

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42000 of 2021**

Arising Out of PS. Case No.-389 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

GULSHAN KUMAR @ GULSHAN RAI Son of Shiv Chandra Rai @ Kahlo
Rai Resident of Village - Rajaura, P.S. - Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Alok Kumar @ Alok Kr Shahi
For the Opposite Party/s : Mr.A.G.

=====

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

2 04-01-2022 Heard.

The petitioner seeks regular bail in connection with Muffasil P.S. Case No. 389 of 2020, registered for the offence punishable under Section 30(a), 32 and 41(1) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 516.15 liters of illicit foreign liquor from a white colour scorio. It is further alleged that all the accused persons had managed to flee away, nonetheless after the co-accused person namely Dabloo Sah was arrested, he had disclosed about complicity of the petitioner in the present case.

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 10.6.2021. It is further submitted that the co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 23.06.2021 passed in Cr. Misc. No. 7760 of 2021. The learned counsel for the petitioner has further referred to paragraph no. 10 of the present petition to submit that the vehicle in question does not belong to the petitioner.

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 neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the vehicle from which the illicit liquor has been recovered, belongs to the petitioner, I deem fit and proper to direct for release of the petitioner on regular.

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 Additional District Judge-II cum Special Judge, Excise, Begusarai in connection with Muffasil P.S. Case



No. 389 of 2020.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

