

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43392 of 2021

Arising Out of PS. Case No.-222 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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ANAND KUMAR @ ANAND KUMAR VERMA Son of Late Ajit Kumar
Verma @ Ajit kumar Resident of Mohalla - Gonar Lal Lane (Gober Gali
Lane), Jogsar, P.S. - Jogsar (Kotwali), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-02-2022 The instant case has been taken up for
consideration through the mode of Video
conferencing in view of the prevailing situation on
account of COVID 19 Pandemic, requiring social
distancing.

Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in
connection with Kotwali (Jogsar) P.S. Case No.
222/2021, registered for the offence punishable
under Sections 30(a) of the Bihar Excise and
Prohibition Act, 2016.

The allegation is regarding recovery of



40.140 liters of illicit foreign liquor from the house of the co-accused person, namely, Vishal Kumar. It is alleged that the petitioner used to supply the illicit liquor to the co-accused person.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 17.4.2021. The learned counsel for the petitioner has further submitted that no illicit liquor has been recovered either from the conscious possession of the petitioner or from his house and he has been merely roped in the present case on suspicion.

Per contra, 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 learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that no illicit liquor has been recovered either



from the conscious possession of the petitioner or from his house, apart from the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 2nd cum Special Judge, Excise Act, Bhagalpur in connection with Kotwali (Jogsar) P.S. Case No. 222/2021.

(Mohit Kumar Shah, J)

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