

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41997 of 2021

Arising Out of PS. Case No.-48 Year-2021 Thana- VIDYAPATINAGAR District- Samastipur

SHUBHAM KUMAR @ KARBABU S/o Late Ram Sringar Choudhary R/o
village- Sherpur, P.S.- Vidyapatinagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2022

Heard.

The petitioner seeks regular bail in connection with Vidyapatinagar P.S. Case No. 48 of 2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 159.48 litres of illicit liquor from a Maruti car and the petitioner is alleged to be driving the said car.

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 21.4.2021. The learned counsel for the petitioner has referred to paragraph no. 7 of the present petition to submit that the petitioner is neither the owner nor the driver of the car and



he had merely taken a lift in the car on the fateful night.

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 the petitioner has categorically stated that he is neither the owner nor the driver of the car in question apart from the fact that he is languishing in custody since 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 A.D.J. II cum Special Judge, Excise, Samastipur in connection with Vidyapatnagar P.S. Case No. 48 of 2021.

(Mohit Kumar Shah, J)

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