

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43450 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- GAUTAMBUDHNAGAR District- Siwan

GHANSHYAM RAM @ CHAILA S/o- Jawahir Ram Resident of Village -
Chandpur, P.S. - G.B. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
G.B. Nagar P.S. Case No. 55 of 2021 for the offence registered
under Sections 30(a), 34, 36, 38 and 41(i) of the Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 135 litres of
illicit liquor from an orchard.

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 16.05.2021.
The learned counsel for the petitioner has further submitted that
though the petitioner is accused in two other cases but he is on
bail in both the said cases. The learned counsel for the petitioner



has also referred to paragraph no. 7 of the present petition to submit that the orchard in question from where the illicit liquor has been recovered, does not belong to the petitioner.

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 fact that the illicit liquor has neither been recovered from the conscious possession of the petitioner nor the orchard in question belongs to the petitioner, 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 Additional Session Judge-II-cum-Special Judge, Excise, Siwan in connection with G.B. Nagar P.S. Case No. 55 of 2021.

(Mohit Kumar Shah, J)

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