

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42311 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- RAJPUR District- Buxar

BHAGIRATHI SINGH @ NUNU SINGH Son of Late Nagina Singh @ Ram
Nagina Singh Resident of Village - Hethua, P.S. - Rajpur, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-01-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rajpur P.S. Case No. 40 of 2021 for the offence registered
under Sections 467, 468, 469, 471, 120B/34 of the Indian Penal
Code and Section 30(a) (d) of the Bihar Prohibition and Excise
Amendment Act, 2018.

The allegation is regarding recovery of 23.200 litres
of illicit liquor from the semi constructed house of the co-
accused person namely Awadh Bihari Sah, after the police had
conducted a raid at the said place. It is alleged that six persons
including the petitioner was apprehended from the spot and then
22 litres of illicit liquor was recovered from the house of the
other co-accused person namely Shyam Narain Sah, after raid
was conducted at his house.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 09.02.2021. The learned counsel for the petitioner has further submitted that neither the house from where the illicit liquor has been recovered, belongs to the petitioner nor any illicit liquor has been recovered from the conscious possession of 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 neither the house from where the illicit liquor has been seized, belongs to the petitioner nor any illicit liquor has been recovered from the conscious possession of the petitioner apart from the fact that the petitioner is having a clean antecedent, 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-IIInd-cum-Special Judge, Excise, Buxar in connection with Rajpur P.S. Case No. 40 of 2021.

(Mohit Kumar Shah, J)

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