

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42883 of 2021**

Arising Out of PS. Case No.-325 Year-2020 Thana- KOILWAR District- Bhojpur

ABHISHEK SINGH S/o- Ram Ratan Singh Resident of Village- Kulhariya,
P.S.- Koilwar, Distt- Bhojpur @ Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

**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 Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Koilwar PS case no. 325 of 2020 instituted for the offences punishable under Sections 272, 273, 406, 420, 120B of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 3402.36 liters of illicit liquor from the house of one Brajkishore Singh and it is alleged that the petitioner is the nephew of the said



Brajkishore Singh, hence on the said pretext, he has also been implicated in the present case merely on suspicion.

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 is languishing in custody since 20.06.2021. The learned counsel for the petitioner has further submitted that neither illicit liquor has been recovered from the conscious possession of the petitioner nor from his house nor the petitioner was arrested from the spot and merely on account of being the nephew of the main accused i.e. Brajkishore Singh, he has been falsely roped in the present case.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the fact that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor from his house apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to



be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional District and Sessions Judge IVth-cum-Special Judge, Excise, Bhojpur at Ara in connection with Koilwar PS case no. 325 of 2020.

(Mohit Kumar Shah, J)

rinkee/-

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

