

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43279 of 2021

Arising Out of PS. Case No.-127 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Sonu Chaurasia @ Sonu Kumar Chaurasia @ Sonu Kumar Son of Shiv Kumar Bhagat Resident of Village- Sarmastpur, P.S. - Sakra, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2022 Heard.

The petitioner seeks regular bail in connection with Excise Case No. 127 of 2020, P.R. no. 27 of 2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 912.240 liters of foreign made illicit liquor from besides the Muzaffarpur- Tajpur road, which is a National Highway.

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 4.6.2021. The learned counsel for the petitioner has submitted that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor from his house and apparently, the illicit liquor has been recovered from



besides a road, which does not belong to the petitioner. It is next submitted that the petitioner has been implicated in the present case merely on suspicion.

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 admittedly neither the illicit liquor has been recovered from the conscious possession of the petitioner nor from his house, 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 Special Judge, Excise, Muzaffarpur in connection with Excise Case No. 127 of 2020, P.R. no. 27 of 2020.

(Mohit Kumar Shah, J)

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