

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43350 of 2021

Arising Out of PS. Case No.-286 Year-2021 Thana- SAKRA District- Muzaffarpur

AMARNATH SAH Son of Chaturbhuj Sah Resident of Village - Basantpur,
P.S.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2022 Heard.

The petitioner seeks regular bail in connection with Sakra P.S. Case No. 286 of 2021, registered for the offence punishable under Sections 411, 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of total 42.750 liters of illicit liquor from two motorcycles and one half constructed house of one Chanchal and the petitioner is stated to have been apprehended while he was fleeing away from the spot.

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 23.5.2021. The learned counsel for the petitioner has further submitted by referring to paragraphs no. 10 and 12 of the present petition that neither the motorcycles in question nor the house in question from where the illicit liquor has been recovered, belong to the petitioner.

Per contra, Shri Mritunjay Kumar Nirala, 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 vehicles in question as also the house in question from which the illicit liquor has been recovered, does not belong to the petitioner, apart from the fact that the petitioner is having a clean antecedent, 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 Act, Muzaffarpur,
in connection with Sakra P.S. Case No. 286 of 2021.

(Mohit Kumar Shah, J)

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