

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42977 of 2021

Arising Out of PS. Case No.-32 Year-2021 Thana- CHAUTHAM District- Khagaria

BHUSHAN SINGH Son of Subodh Singh Resident of Village - Bhelouri
Ratanvasha, P.S.- Choutham, Distt.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv.
For the State : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2022 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 the learned APP for the State, Ms. Pushpa Sinha.

The petitioner seeks regular bail in connection with Choutham P.S. Case No. 32/2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of



159.150 litres of illicit liquor from a mustard field of one Ramchandra Choudhary and the name of the petitioner appears to have transpired in the present case, upon disclosure having been made by the village chaukidar to the effect that the petitioner is also one of the person, who had fled away from the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 13.6.2021. The learned counsel for the petitioner has further submitted that the illicit liquor has neither been recovered from the conscious possession of the petitioner nor from his house and the field from where the same has been recovered does not belong to the petitioner.

Per contra, the learned APP 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 illicit liquor has been recovered from the conscious possession of the petitioner nor from his house and the petitioner is stated to be having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge 2nd, Cum-Special Judge, Excise, Khagaria in connection with Choutham P.S. Case No. 32/2021.

(Mohit Kumar Shah, J)

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