

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42837 of 2021**

Arising Out of PS. Case No.-35 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sheohar

PRAMOD KUMAR Son of Siya Sahani R/o Village Chhatauni Marhi Tola,
P.S. Tariyani, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Advocate
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 14-02-2022 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 Sri Surendra Prasad Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with C2 case no. 35 of 2021 instituted for the offences punishable under Section 30(A) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 05 liters of illicit liquor from the hut of the petitioner.

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 11.04.2021. The learned counsel for the petitioner has further submitted that the hut in question, from which the illicit liquor has been recovered, belongs to the petitioner and his family members and in fact, no illicit liquor has been recovered from the conscious possession of the petitioner.

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 no illicit liquor has been recovered from the conscious possession of the petitioner but from a hut which is in joint possession of the petitioner and his family members, 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) each with two sureties of the like amount each to the satisfaction of learned court of Additional District and



Sessions Judge II-cum-Special Judge (Excise), Sheohar in
connection with C2 case no. 35 of 2021.

(Mohit Kumar Shah, J)

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