

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44087 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- BISHWAMBHARPUR District-
Gopalganj

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Sunil Singh Son Of Late Suresh Singh Resident Of Village - Rampur
Khajuriya, P.S- Dumariyaghat, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-01-2022 Heard.

The petitioner seeks regular bail in connection with Vishambharpur P.S. Case No. 61 of 2021, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 129.600 liters of illicit wine from a vehicle and the petitioner was arrested 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 is languishing in custody since 24.05.2021. The learned counsel for the



petitioner has referred to paragraphs no. 8 and 9 of the present petition to submit that the petitioner is neither the driver of the car nor the owner of the car and in fact he had taken lift from the driver of the said car in question. It is also submitted that the petitioner has been falsely implicated in the present case only on account of the fact that illicit liquor has been recovered from the car in question and he is alleged to be a passenger of the said car.

Per contra, Ms. Asha Kumari, 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 parties and taking into account the materials available on record as also considering the categorical statement made in Paragraphs no. 8 and 9 of the present petition to the effect that the petitioner is neither the owner nor the driver of the car in question apart from the fact that he is having a clean antecedent and is languishing in custody since 24.05.2021, I deem it



fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, Gopalganj in connection with Vishambharpur P.S. Case No. 61 of 2021.

(Mohit Kumar Shah, J)

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