

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46228 of 2021

Arising Out of PS. Case No.-231 Year-2021 Thana- MINAPUR District- Muzaffarpur

ARVIND KUMAR Son of Shankar Ray Resident of Village- Chakjamal,
Ward No.- 04, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2022 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 the learned APP for the State.

The petitioner seeks regular bail in connection with Minapur P.S. Case No. 231/2021 (G.R.No. 110/21), registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.



At the outset, the learned counsel for the petitioner submits that in the prayer portion of the present petition, the name of the police station has been wrongly mentioned as Ahiyapur P.S. instead of Minapur. It is directed that the name of the police station be read as Minapur wherever appearing in the present petition.

The allegation is regarding recovery of about 27 liters of illicit liquor from a motorcycle, which was being driven by the petitioner.

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 28.6.2021. The learned counsel for the petitioner has orally submitted that the motorcycle in question 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 the petitioner is having a clean antecedent and he is languishing in custody since 28.6.2021, 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 Spl. Judge Excise, Muzaffarpur in connection with Minapur P.S. Case No. 231/2021 (G.R.No. 110/21).

(Mohit Kumar Shah, J)

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