

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46693 of 2021

Arising Out of PS. Case No.-176 Year-2021 Thana- TEGHRHA District- Begusarai

ROHIT KUMAR Son of Hareram Kunwar @ Hareram kunwar @ Hareram
Kuwar @ Hareram Kumar Resident of Village - Pidhaulti , Ward No.05, P.S.-
Teghra, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2022 Heard the learned counsel for the petitioner
and the learned APP for the State, Sri Nawal
Kishore Prasad.

The petitioner seeks regular bail in
connection with Teghra P.S. Case No. 176/2021,
registered for the offence punishable under
Sections 120(b) of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise
Act, 2018.

The allegation is regarding recovery of 24
liters of illicit liquor from the lichi field of Pappu
Kumar. It is alleged that the said Pappu Kumar,
had informed the police that illicit liquor had been



kept in his lichi field by the co-accused persons, namely, Ramadhikari Kunwar and Rohit Kumar (petitioner herein).

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 30.5.2021. The learned counsel for the petitioner has further submitted that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor from his field and in fact, it has been recovered from the lichi field of one Pappu Kumar. Lastly, it is submitted that though the petitioner is an accused in two other criminal cases, but he was remanded in the said cases only after he has been made accused in the present case.

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 field, 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 Sessions Judge II-cum-Special Judge, Excise Act, Begusarai in connection with Teghra P.S. Case No. 176/2021.

(Mohit Kumar Shah, J)

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