

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48649 of 2021

Arising Out of PS. Case No.-227 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

SHYAM KUAMR SAH Son of Sri Paltu Sah @ Paltu Sahu Resident of
Village - Sarso (Sarisav), P.S.- Bani Patti, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-03-2022 Heard.

The petitioner seeks regular bail in connection with G.O. Case No. 546 of 2021 arising out of Laheriasarai P.S. Case No. 227 of 2021, registered for the offence punishable under sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is that upon receipt of secret information, the police team is stated to have reached near the K.S. college where one pick up vehicle and one motorcycle were standing and upon search 2351.500 liters of illicit Nepali liquor and some bottles of beer were recovered from the pick up van in question 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 26.04.2021. The learned counsel for the petitioner has referred to paragraph no. 8 of the present petition to submit that the petitioner has got no concern either with the pick up van in question or the motorcycle in question.

Per contra, Mr. Nawal Kishore Prasad, 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 fact that the pick up van/ motorcycle in question does not belong to the petitioner and no illicit liquor has been recovered from the conscious possession of the petitioner, apart from the fact that he is having a clean antecedent, 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 the learned Court of III
Additional Sessions Judge cum Special Judge, Excise,
Darbhanga in connection with G.O. Case No. 546 of
2021 arising out of Laheriasarai P.S. Case No. 227 of
2021

(Mohit Kumar Shah, J)

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