

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49239 of 2021**

Arising Out of PS. Case No.-168 Year-2021 Thana- SHAMBHUGANJ District- Banka

PRINCE KUMAR S/o HEERALAL MANDAL R/o VILLAGE-BADI
MAHISAUT, P.S-SHAMBHUGANJ, DISTRICT-BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 22-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 11 litres of country liquor is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession or his house. He has been falsely implicated in the case. He is in custody since 19.7.2021 and chargesheet has been submitted in the case. It is further submitted by learned counsel for the petitioner that a supplementary affidavit has been filed on behalf of the petitioner stating about the error committed in paragraph no. 3 of the petition and about pendency of the case



against the petitioner from before but the said case is not under the Bihar Prohibition and Excise Act, 2016.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Shambhuganj P.S. Case no. 168 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Incharge Addl. Sessions Judge II, Banka.

(Partha Sarthy, J)

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