

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49542 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- GAUTAMBUDHNAGAR District- Siwan

Monu Kumar @ Monu Ram @ Mannu Kumar Ram S/O Jawahir Ram R/O
Village-Chandpur, P.S-G.B. Nagar, District-Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Ms.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-03-2022 Heard.

The petitioner seeks regular bail in connection with G.B. Nagar P.S. Case No. 55 of 2021, registered for the offence punishable under sections 30(a)/34/36/38/41(i) of the Bihar Prohibition and Excise Act5, 2016.

The allegation is regarding recovery of 135 liters of illicit liquor from the orchard in question, however, four miscreants had managed to flee away and it is alleged that the petitioner is one of the person who had also fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been



falsely implicated in the present case and is languishing in custody since 28.07.2021. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one other case, but he is on bail in the said case. It is further submitted that the orchard from where the illicit liquor has been recovered, 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 parties and taking into account the materials available on record as also considering the fact that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the orchard in question belongs to the petitioner, 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 Addl. Sessions Judge II cum Special Judge, Excise, Siwan in connection with G.B. Nagar P.S. Case No. 55 of 2021.

(Mohit Kumar Shah, J)

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