

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50243 of 2021

Arising Out of PS. Case No.-68 Year-2021 Thana- HASPURA District- Aurangabad

PINTU KUMAR Son of Kameshwar Mahto Resident of Village- Itawan, P.S.-
Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with G.R.No. 529 /2021 arising out of Haspura P.S. Case No. 68/2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 255 liters of illicit liquor from the *Dalan* of the house of 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 12.7.2021. The learned counsel for the petitioner has further submitted that since the illicit liquor has been recovered from the open space situated in the premises of the house of the petitioner, it cannot be said that the illicit liquor belongs to the petitioner inasmuch as it could have been planted by someone else.

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 inside his house, apart from the fact that he is having a clean antecedent, 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, Il-cum-Special Judge (Excise), Aurangabad in connection with Haspura P.S. Case No. 68/2021.

(Mohit Kumar Shah, J)

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