

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62749 of 2021**

Arising Out of PS. Case No.-378 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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ARJUN KUMAR YADAV @ ARJUN KUMAR S/o- Bechan Yadav Resident
of Village- Saharghat Ram Nagar, Ward No.5, P.S.- Saharghat, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 09-06-2022 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection
with C2 case no. 378 of 2021 instituted for the offences
punishable under Sections 30(a) of Bihar Prohibition and Excise
Act, 2016.

The allegation is regarding recovery of 180
liters of illicit Nepali Saufi wine from two vehicles.

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 07.08.2021. The learned counsel
for the petitioner has further submitted by referring to paragraph



no. 7 of the present petition that the vehicles in question does not belong to the petitioner.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the fact that the vehicles from which the illicit liquor has been recovered does not belong to the petitioner apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi in connection with C2 case no. 378 of 2021.

(Mohit Kumar Shah, J)

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