

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58876 of 2021**

Arising Out of PS. Case No.-341 Year-2020 Thana- WARISLIGANJ District- Nawada

Subodh Kumar S/O- Late Debu Singh @ Late Devki Nandan Singh Resident
of Village- Kochagaon, P.S.- Waisaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Maharaj, Advocate
For the Opposite Party/s : Mr.Asha Kumari, APP

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

2 29-03-2022 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Warisaliganj PS case no. 341 of 2020 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 40.875 liters of illicit liquor from a Tata Pick-up van and the person arrested from the spot, upon interrogation, disclosed that the illicit liquor was to be delivered to the petitioner herein

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 06.04.2021. The learned counsel for the petitioner has referred to paragraph no. 7 of the present petition to contend that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the vehicle in question belongs to the petitioner. The learned counsel for the petitioner has further submitted that merely on suspicion, the petitioner has been falsely implicated in the present case.

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 neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the vehicle in question belongs to the petitioner nor the petitioner has been arrested from the spot, 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 Additional Sessions
Judge II-cum-Special Judge, Nawada in connection with
Warsaliganj PS case no. 341 of 2020.

(Mohit Kumar Shah, J)

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