

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60085 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- BARGAINIA District- Sitamarhi

Shatrudhan Sah @ Shatrudhan Mahto Son of Harishchandra Mahto Resident
of Village - Masaha Narotam, Punarwas, P.S.- Bairstania, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Adv.

For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard.

The petitioner seeks regular bail in connection with Bairstania P.S. Case No. 214 of 2020, registered for the offence punishable under section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 136.5 liters of illicit liquor from plastic bags thrown by the accused persons. It is further alleged that two co-accused persons were arrested from the spot who had disclosed the name of the other accused persons including the petitioner herein to be their accomplice.

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 02.08.2021. It is further submitted that the illicit liquor has not been recovered from the conscious possession of the petitioner and moreover the petitioner has also not been arrested from the spot.

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 no illicit liquor has been recovered from the conscious possession of the petitioner, the petitioner is having a clean antecedent and is languishing in custody since more than six months, 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-bonds of Rs. 10,000/- with two sureties of the like



amount each to the satisfaction of learned A.D.J. II
cum Special Judge, Excise Act, Sitamarhi in
connection with Bairgania P.S. Case No. 214 of
2020.

(Mohit Kumar Shah, J)

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