

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62193 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- AMAS District- Gaya

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BALI SINGH BHOKTA @ RAM BALI SINGH BHOKTA son of Shiv Nandan @ Deban Singh Bhokta @ Deban Bhokta Resident of Village- Baghmarwa Tola, P.S.- Amas, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Prasad Singh

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-04-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Amas P.S. Case No. 27/2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 10



liters of illicit country made wine and wine making apparatus from a forest area situated at Bhagwatia Hill.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 10.9.2021. The learned counsel for the petitioner has further submitted that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the place from where the same has been recovered belongs to the petitioner nor the petitioner has been arrested from the spot, hence, apparently, the petitioner has been falsely implicated in the present case on account of disclosure made by the co-villagers.

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 any illicit liquor has been recovered from the conscious possession of the petitioner nor the place from where the illicit liquor has been recovered belongs to the petitioner nor the petitioner has been arrested from the spot and merely, he has been roped in the present case on suspicion, 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-II-cum-Special Judge (Excise), Gaya in connection with Amas P.S. Case No. 27 of 2021.

(Mohit Kumar Shah, J)

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