

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64922 of 2021

Arising Out of PS. Case No.-80 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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KANHAIYA SINGH @ KANHAIYA KUMAR Son of Parshuram Singh
Resident of Village - Paspura, Ward No. 17, Police Station - Muffasil, District
- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar, 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 Muffasil PS case no. 80 of 2021 instituted for the offences
punishable under Sections 120(B) of the Indian Penal Code and
30(a), 41(1) of Bihar Prohibition and Excise (Amendment) Act,
2018.

The allegation is regarding recovery of
1298.985 liters of illicit liquor from one Scorpio vehicle and one
Pick-up van.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case and is languishing in custody



since 10.09.2021. The learned counsel for the petitioner has further submitted that since the petitioner is accused in other similar type of cases, he has been falsely implicated in the present case. It is also submitted by referring to paragraph no. 11 of the present petition that the petitioner does not have any concern with the vehicles in question from where the illicit liquor has been recovered.

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 petitioner has categorically averred in the present petition that the vehicles from where the illicit liquor has been recovered does not belong to the petitioner apart from the fact that he has not been arrested from the spot and has been falsely implicated in the present case merely on suspicion, 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, Begusarai in connection with Muffasil PS case no.
80 of 2021.

(Mohit Kumar Shah, J)

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