

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68909 of 2021**

Arising Out of PS. Case No.-244 Year-2021 Thana- SIRDALA District- Nawada

VIJAY DAS @ VIJAY RAVIDAS S/o Govind Das Resident of Village-
Hemja Bharat, P.S.- Sirdalla, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

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

2 08-06-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sirdalla P.S. Case No. 244 of 2021 for the offence registered
under Sections 30(a)(d) and 41 of the Bihar Prohibition and
Excise Act, 2016.

The case of the prosecution in brief is that while the
petitioner was arrested in connection with Sirdalla P.S. Case No.
243 of 2021 and was interrogated, he had, in his statement,
disclosed the places where other persons of the village were
manufacturing and selling illicit liquor. It is also alleged that
the police force, on a tip off by the petitioner, had then
conducted a raid at the alleged place of occurrence and
recovered 17 litres of country made Mahua liquor, 5 kg of dry



Mahau, 1000 litres of fermented jawa Mahua and other materials used in the manufacturing of illicit liquor.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that a bare perusal of the FIR would show that since the petitioner had been arrested in a similar case, he has been made an accused in the present case although he has got nothing to do with the alleged recovery made by the police from a place not belonging to the petitioner. It is also submitted that the petitioner is languishing in custody since 13.07.2021, hence he has already been suitably punished. Lastly, it is submitted that the petitioner has already been granted bail in other three criminal cases, in which he is an accused.

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 prima facie the petitioner does not appear to have any connection with the alleged recovery made by the police from a place which does



not belong to the petitioner apart from the fact that he is languishing in custody since about 11 months, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IInd-cum-Special Judge, Nawada in connection with Sirdalla P.S. Case No. 244 of 2021.

(Mohit Kumar Shah, J)

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