

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69115 of 2021**

Arising Out of PS. Case No.-151 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

PRADIP KUMAR Son of Mahadev Yadav Resident of Village - Parsahi,
Ward No.- 03, P.S.- Kumarkhand, District - Madhepura, At present residing at
Tamwa, P.S.- Chatapur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Kumar

For the Opposite Party/s : Mr.Pronoti Singh

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

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

The petitioner seeks regular bail in connection with Kochadhaman P.S. Case No. 151 of 2021, registered for the offence punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

The police is stated to have apprehended a Tata Zest XE car and upon search, 159 liters of illicit foreign liquor was seized. The petitioner is stated to have been arrested from the said car.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 31.5.2021. It is submitted that the petitioner had merely taken lift in the said car and he is neither the driver nor the owner of the said car.

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 the petitioner was merely a passenger in the said car, apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since more than one year, 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 District and Sessions Judge-II, Special Judge, (Excise), Kishanganj in connection with Kochadhaman P.S. Case No. 151 of 2021.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

