

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70004 of 2021

Arising Out of PS. Case No.-189 Year-2021 Thana- HASPURA District- Aurangabad

VINOD PRASAD Son of Late Yamuna Prasad Resident of Village - Itwa,
P.S.- Haspura, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 The petitioner seeks regular bail in connection with Haspura P.S. Case No. 189 of 2021, registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 94 liters of illicit country made liquor and 60 liters of spirit from behind the house of the petitioner, kept in a small room covered by shed.

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 21.09.2021. The learned counsel for the petitioner has further submitted that since the illicit liquor has not been recovered from within the house of the petitioner, the possibility of the illicit liquor being planted behind the



house of the petitioner in an abandoned room, cannot be ruled out.

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 the illicit liquor has not been recovered within the house of the petitioner, apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since 9 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 bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of 2nd Additional District & Sessions Judge cum Special Judge (Excise), Aurangabad in connection with Haspura P.S. Case No. 189 of 2021.

(Mohit Kumar Shah, J)

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