

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69716 of 2021

Arising Out of PS. Case No.-471 Year-2021 Thana- MAJHAULIA District- West Champaran

AJIJ MIAN @ AJIJ ALAM Son of Late Bachhu Mian Resident of Village -
Majhariya Sheikh Ward No. 8, P.S. - Majhauriya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard.

The petitioner seeks regular bail in connection with Majhauriya P.S. Case No. 471 of 2021, registered for the offence punishable under sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

The allegation is regarding recovery of 400 liters of illicit spirit from two drums kept near the bank of the river situated behind the house of the petitioner.

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 27.09.2021. The learned counsel for the petitioner has further submitted that the place from where the illicit liquor has been recovered, does not belong to the petitioner, hence, the petitioner cannot be saddled with the liability of the illicit



liquor recovered from the place in question.

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 neither the illicit liquor has been recovered from the house of the petitioner nor from his conscious possession apart from the fact that he is having a clean antecedent, 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 Special Judge, Excise, Bettiah, West Champaran in connection with Majauliya P.S. Case No. 4471 of 2021.

(Mohit Kumar Shah, J)

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