

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70513 of 2021

Arising Out of PS. Case No.-285 Year-2021 Thana- MANIYARI District- Muzaffarpur

Dharmendra Kumar Son Of Late Ramkishun Sah @ Ram Kishun Sah
Resident Of Village- Muroul, P.O- Muroul, P.S- Maniyari, Dist- Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2022 Heard.

The petitioner seeks regular bail in connection with Maniyari P.S. Case No. 285 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 180 liters of illicit liquor from a bolero vehicle and 934.800 liters of liquor from a hut belonging to one Lalita Devi. It has also been alleged that the accused persons including the petitioner herein had brought the vehicle in question near the hut of the said lady and then they had unloaded the illicit liquor and had also forcibly kept the liquor in the hut.

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 05.09.2021. The learned counsel for the petitioner has further submitted



that admittedly the petitioner is neither the owner of the hut in question nor the driver or owner of the vehicle in question, hence, the petitioner is having no complicity in the matter.

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 conscious possession of the petitioner nor the petitioner is owner of the vehicle in question nor that of the hut in question 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, Muzaffarpur in connection with Maniyari P.S. Case No. 285 of 2021.

(Mohit Kumar Shah, J)

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