

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67032 of 2022

Arising Out of PS. Case No.-173 Year-2022 Thana- KOILWAR District- Bhojpur

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NIRMAL RAI SON OF LATE JHULAN RAI R/O VILLAGE- MIRAPUR,
P.S.- KOILWAR, DISTRICT- BHOJPUR AT ARA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the

petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Koilwar (Gidha O.P) P.S. Case
No.173 of 2022, for the offence registered under
Section 30(a) of Bihar Prohibition and Excise Act,
2018.

The allegation is regarding recovery of
1400 litres of illicit liquor from the bushes situated
in front of the house of the petitioner towards east
direction.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, he has
been falsely implicated in the present case and he



is languishing in custody since 22.04.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in two other cases but he is on bail in the said two cases. It is also submitted that recovery of the illicit liquor has not been made from within the house of the petitioner, hence the petitioner is not having any complicity in the matter.

Per contra, the learned A.P.P. 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 illicit liquor has admittedly not been recovered either from the possession of the petitioner or from within his house, I deem it fit and proper to admit the petitioner to the privilege of 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 Exclusive Special Excise Court No-IIInd, Bhojpur at Ara in connection with Koilwar (Gidha O.P.) P.S. Case No. 173 of 2022.

(Mohit Kumar Shah, J)

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