

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68415 of 2022**

Arising Out of PS. Case No.-87 Year-2022 Thana- GOH District- Aurangabad

BITTU THAKUR @ BITTU KUMAR S/o Late Dhura Thakur R/v- Sareya,
P.S.- Goh, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Bahadur Singh, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP

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

2 08-02-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Goh PS case no. 87 of 2022 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 1192.50 liters of illicit liquor from the house of the brother of the petitioner.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is stated that though the petitioner is accused in one case but he is on bail in the said case. The learned counsel for the petitioner has further submitted that the petitioner is languishing in custody since 21.10.2022. It is also submitted that the brother of



the petitioner has already been granted bail by a co-ordinate Bench of this Court vide order dated 13.10.2022, passed in Cr. Misc. no. 50684 of 2022, hence the petitioner, from whose possession, no illicit liquor has been recovered, should be granted the privilege of bail.

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 parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by co-ordinate Bench of this Court, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise-II, Aurangabad (Bihar) in connection with Goh PS case no. 87 of 2022.

(Mohit Kumar Shah, J)

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