

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71576 of 2022

Arising Out of PS. Case No.-129 Year-2022 Thana- KIUL District- Lakhisarai

SANTOSH KUMAR S/o Uday Yadav R/v- Manotola goddih, P.S.- Kiul,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rananjay Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Kiul P.S. Case No. 129 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

The allegation is regarding recovery of 60 liters of illicit country made Mahua liquor from a motorcycle and the petitioner was arrested while he was trying to flee away.

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 16.9.2022. The learned counsel for the petitioner has further submitted that though the petitioner was having a clean antecedent, but he has been made an accused in one another criminal case, after being arrested in the present case. The learned counsel for the petitioner has referred to paragraph no. 8 of the present petition to contend that the petitioner has got no connection with the said motorcycle 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 learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the petitioner is stated to be having any concern with the motorcycle in question nor any illicit liquor has been recovered from his conscious possession, I deem it fit and proper to



direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge V-cum-Exclusive Spl. Court-2, Excise Act, Lakhisarai in connection with Kiul P.S. Case No. 129 of 2022.

(Mohit Kumar Shah, J)

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