

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70682 of 2022

Arising Out of PS. Case No.-142 Year-2021 Thana- ROH District- Nawada

Raju Singh @ Raju Kumar Son of Ramashis Singh Resident of - Pachhiyadih,
P.S.- Mufassil, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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 Roh P.S. Case No.142 of 2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

The allegation is regarding recovery of 221.65 litres of illicit liquor from a Scorpio vehicle and 90 litres of illicit liquor from a Tata Indica car and the co-accused persons arrested from the spot are stated to have disclosed the names of their accomplices including the petitioner herein.

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 14.07.2022. The learned counsel for the petitioner has further submitted that only because the petitioner is an accused in four other similar type of cases, he has been falsely implicated in the present case, whereas the fact is that neither the vehicles in question belong to the petitioner nor he has been arrested from the spot nor any illicit liquor has been recovered from the conscious possession of the petitioner.

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 has been arrested from the spot nor any illicit liquor has been recovered from the conscious possession of the petitioner nor



the vehicles in question belong to the petitioner, 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 Exclusive Special Excise Court-2, Nawada in connection with Roh P.S. Case No.142 of 2021.

(Mohit Kumar Shah, J)

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