

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69784 of 2022

Arising Out of PS. Case No.-205 Year-2022 Thana- RAHIKA District- Madhubani

SUNIL KUMAR Son of Ganeshi Paswan Resident of Village- Izra, P.S.-
Rahika, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

The petitioner seeks regular bail in
connection with Rahika P.S. Case No. 205 of 2022
registered for the offences punishable under
Sections 272 and 273 of the Indian Penal Code.

The allegation is regarding recovery of
56.10 litres of illicit liquor from an orchard.

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 06.10.2022. 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 cases. The learned counsel for the petitioner has also submitted that the orchard in question does not belong to the petitioner, hence the petitioner cannot be made liable for the illicit liquor recovered from the said orchard.

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 place from where the illicit liquor has been recovered, does not belong to the petitioner and no illicit liquor has been recovered from the conscious possession of the petitioner, 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 2nd Additional Sessions Judge-cum-Special Judge, Excise act, Madhubani in connection with Rahika P.S. Case No. 205 of 2022 (G.R. No. 1868 of 2022).

(Mohit Kumar Shah, J)

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