

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70011 of 2022

Arising Out of PS. Case No.-762 Year-2022 Thana- FATUA District- Patna

=====

KRISHNA GOPE @ KRISHNA SINGH @ KRISHNA RAI Son of Late
Mahipat Singh @ Mahipat Gope Resident of Village- Kewlatal Emli Chowk
Raipura, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay,Adv.

For the Opposite Party/s : Mr.Md. Iftexhar Mahmood,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 Fatuha P.S. Case No.762 of 2022, registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 90.75 litres of illicit foreign liquor and 100 litres of illicit country made liquor from the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he



has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 27.10.2022. The learned counsel for the petitioner has further submitted that the house in question, is in joint possession of three brothers including the petitioner herein, and all the three brothers have been made accused in the present case, however, the petitioner is not having any complicity in the matter, inasmuch as the petitioner was not present at the house in question, when the raid had been conducted by the police.

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 on record as also considering the period of incarceration of the petitioner herein, 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 Judge, Excise, Patna City at Patna, in connection with Fatuha P.S. Case No.762 of 2022.

(Mohit Kumar Shah, J)

kanchan/sonal-

U		T	
---	--	---	--

