

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72328 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- LADANIA District- Madhubani

KISHORE PAL Son of Rajendra Pal R/v- Gajhara, P.S.- Ladania, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Ladaniya P.S. Case No. 72 of 2022
registered for the offences punishable under
Sections 272, 273 and 34 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of
310.5 litres of Nepali liquor from the field of one
Amarnath Mishra and it is alleged that the
petitioner and one another co-accused person had
brought the said illicit liquor and kept the same in
the field of said Amarnath Mishra.



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 01.11.2022. The learned counsel for the petitioner has further submitted that only since the petitioner is accused in five other similar type of cases, he has been made an accused in the present case, however, no illicit liquor has been recovered from the possession of the petitioner.

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 neither any illicit liquor has been recovered either from the possession of the petitioner or from his field nor he has been arrested from the spot, 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 Additional Sessions Judge-II-cum-Special
Judge, Excise Act, Madhubani in connection with
Ladaniya P.S. Case No. 72 of 2022.

(Mohit Kumar Shah, J)

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