

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72469 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- LADANIA District- Madhubani

KISHORE PAL S/O Rajendra Pal R/O Village- 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, A.P.P.

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. 60 of 2022 registered for the offences punishable under Sections 147, 341, 323, 325, 379, 337, 324, 272, 273, 504 and 506/34 of the Indian Penal Code.

The allegation is regarding recovery of 32.7 litres of illicit liquor from a sack which was dropped by the driver of a Santro car which had hit a bullet motorcycle, resulting in the rider of the said bullet motorcycle falling down on the ground, whereupon the persons sitting in the Santro car had tried to escape. It is alleged that the petitioner



along with 30-40 persons were standing near the pond.

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 because the petitioner is having a bad antecedent, he has been falsely roped in the present case, however, neither any illicit liquor has been recovered from the conscious possession of the petitioner nor he has been alleged to have engaged in any sort of overt act, thus the petitioner is not having any complicity in the matter.

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 from the petitioner nor he has been alleged to have engaged in any sort of overt act, 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, Excises Act, Madhubani in connection with Ladaniya P.S. Case No. 60 of 2022.

(Mohit Kumar Shah, J)

S.Sb/Saurav

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

