

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73651 of 2022

Arising Out of PS. Case No.-37 Year-2021 Thana- PIPRIYA District- Lakhisarai

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LALMUNI BHAGAT @LALMUNI KUMAR Son of Bahadur Bhagat
Resident of Ward no. 1, Basauna Tola, P.S- Piparia, dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

The petitioner seeks regular bail in connection with
Piparia P.S. Case No. 37 of 2021, registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

The allegation is regarding recovery of 25 liters of
illicit *Mahua* liquor from the field of one Lalmuni Bhagat and the
petitioner is stated to have thrown the sack containing the illicit
liquor in the said field.

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 06.08.2022.
The learned counsel for the petitioner has further submitted that



the petitioner has been made accused only on account of his bad antecedent, nonetheless, the fact is that neither he has been apprehended from the spot nor the field, from where the illicit liquor has been recovered belongs to the petitioner, hence, the petitioner has got no complicity in the matter.

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 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/- (Rs. ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge Vth-cum-Exclusive Special Court-II, Excise Act, Lakhisarai in connection with Piparia P.S. Case No.37 of 2021.

(Mohit Kumar Shah, J)

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