

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73421 of 2022

Arising Out of PS. Case No.-137 Year-2022 Thana- SAHODARA District- West Champaran

NAND KUMAR NATH SON OF LATE MADHAW NATH R/O VILLAGE-
KAIRI, P.S.- SAHODARA, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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 Sahodara PS case no. 137 of 2022 instituted for the offences punishable under Sections 272, 273 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 99 liters of illicit liquor from the river bank and one co-accused person was arrested, who disclosed that some of the co-accused persons including the petitioner had fled away and they were also involved in the trade of illicit liquor.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in



custody since 15.10.2022. The learned counsel for the petitioner has further submitted that neither the petitioner has been arrested from the spot nor any illicit liquor has been recovered from his conscious possession, 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 parties and taking into account the materials available on record as also considering the fact that neither the petitioner has been arrested from the spot nor any illicit liquor has been recovered from his conscious possession, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Exclusive Special Excise Judge, West Champaran, Bettiah in connection with Sahodara PS case no. 137 of 2022.

(Mohit Kumar Shah, J)

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