

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47352 of 2021**

Arising Out of PS. Case No.-237 Year-2021 Thana- NAUBATPUR District- Patna

BILTU RAM S/o Late Baidhanath Ram Resident of Har Nath Pur, Parsauna,  
P.S. Pakri Dayal, District - West Champaran (Motihari).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      28-02-2022                      Heard the learned counsel for the petitioner and  
  
Sri Raj Ballabh Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with  
Naubatpur PS case no. 237 of 2021 instituted for the offences  
punishable under Sections 30(a), 38, 41 of Bihar Prohibition and  
Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 1189.08  
liters of illicit liquor from a tractor which is stated to be driven by  
the petitioner.

The learned counsel for the petitioner has  
submitted that the petitioner is innocent, has been falsely  
implicated in the present case, is having a clean antecedent and is  
languishing in custody since 11.05.2021. The learned counsel for  
the petitioner, by referring to paragraph no. 10 of the present



petition, has further submitted that the tractor in question does not belong to the petitioner and he has been falsely implicated in the present case.

*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 parties and taking into account the materials available on record as also considering the fact that the tractor in question, does not belong to the petitioner and the petitioner is having a clean antecedent apart from the fact that the petitioner is languishing in custody since about 09 months, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on 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 Special Court, Excise, Patna in connection with Naubatpur PS case no. 237 of 2021.

**(Mohit Kumar Shah, J)**

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