

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70711 of 2019

Arising Out of PS. Case No.-298 Year-2019 Thana- TAJPUR District- Samastipur

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Pankaj Kumar @ Guddu Singh, Aged about 42 Yrs., Male, Son of Nawal Kishor Singh, Resident of Village- Malpur, P.S.Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Tajpur P.S. Case No. 298 of 2019 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that Police raided the house of the petitioner and recovered total quantity of 90 liters of illicit liquor from beneath the Neem tree situated in front of the house of the petitioner.

Mr. Anshu Dhar Sharma, learned counsel appearing for the petitioner submits that petitioner has unnecessarily been dragged in this case inasmuch as from perusal of the seizure list



it is evident that illicit liquor has not been recovered from inside the house of the petitioner, but from near a Neem tree, which was standing in front of the house of the petitioner and accessible to all. Learned counsel for the petitioner submits that petitioner was not arrested and he surrendered before the learned court below on 23.09.2019 and since then he is in custody.

Having heard learned counsel for the parties and taking into consideration the fact that illicit liquor has not been recovered from inside the house of the petitioner and petitioner is in custody since 23.09.2019, I am inclined to enlarge the petitioner on regular bail.

Accordingly, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned ADJ 2nd Cum Special Judge, Excise, Samastipur in connection with Tajpur P.S. Case No. 298 of 2019.

(Anil Kumar Sinha, J)

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