

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24418 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- BRAHMPURA District- Muzaffarpur

MD. SAHUB @ SAHUR Son of Mangru Mian R/o Village- Soda Godam,
P.S.- Brahampura, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 29-09-2020 Heard Mr. Vyas Kumar Mishra, learned counsel for the petitioner and Mr. Arun Kumar Pandey, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Brahampura P.S. Case No. 07 of 2020, registered for the offences punishable under Section(s) 272, 273 of the Indian Penal Code, 1860, Sections 30(a), 38, 41(D), 52(D), (E) and (F) of Bihar Prohibition and Excise Act.

The allegation against the petitioner is that the Police raided the house of the petitioner and recovered a total quantity of 25.860 litres of illicit foreign liquor from his godown.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged



and he is in custody since 8.3.2020. Learned counsel further submits that he has filed supplementary affidavit stating therein the criminal antecedent of the petitioner and from perusal of the same, it would be evident that one case of similar nature under Excise Act is pending against him.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that the petitioner has criminal antecedent of the similar nature under Excise Act, I am inclined to grant regular bail to the petitioner, **after framing of charge**.

Accordingly, let the petitioner, above named, be released on regular bail, **after framing of charge**, on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Brahampura P.S. Case No. 07 of 2020 on the following condition:

(i) that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding



lockdown and social distancing.

(Anil Kumar Sinha, J)

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