

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23626 of 2020

Arising Out of PS. Case No.-260 Year-2019 Thana- KUDHNI District- Muzaffarpur

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RANJAN AZAD Son of Late Raghuvansh Prasad Singh Resident of Village -
Chandrahatti, P.S.- Kudhani, District - Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Vaishnai Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-09-2020 Heard Ms. Vaishnavi Singh, learned counsel for the

petitioner and Mr. Zainul Abedin, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Kudhani P.S. Case No. 260 of 2019 registered for the offence
punishable under Section 272 / 273 / 34 of the Indian Penal
Code, 1860 and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner is that the Police
raided the cow-shed of the petitioner and recovered a total
quantity of 99 litres of illicit foreign liquor.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and has not
committed any offence in the manner alleged. Learned counsel



further submits that petitioner has been implicated in this case due to village politics inasmuch as petitioner was the Ex-Mukhiya of the Gram Panchayat between the year 2001-06 and after that petitioner has settled at Muzaffarpur for the purpose of education of his children. Learned counsel referring to Annexure- 4 Series further submits that the present Mukhiya and the member of the Panchayat Samiti have given certificate in writing that the cow- shed (Bathan) in question does not belong to the petitioner. Learned counsel further submits that Bathan is situated outside in open space, which is accessible to all and sundry and no illicit liquor has been recovered from the conscious possession or from inside the house of the petitioner. Learned counsel further submits that petitioner is in custody since 05.06.2020.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to



the satisfaction of learned Special Judge Excise, Muzaffarpur /
court concerned in connection with Kudhani P.S. Case No. 260
of 2019.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding lockdown
and social distancing.

(Anil Kumar Sinha, J)

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