

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28803 of 2020

Arising Out of PS. Case No.-411 Year-2019 Thana- SARAI District- Vaishali

SANJAY SHARMA @ SANOJ KUMAR Son of Umesh Sharma Resident of
Village - Anjani, P.S.- Sarai, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh
For the Opposite Party/s : Mr. Jainul Abdin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Jainul Abdin, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Sarai P.S. Case No. 411 of 2019 for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2018.

The allegation is regarding recovery of 1797.48 litres of illicit liquor from the house of the petitioner, however, the petitioner is stated to be not present in his house.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further



submitted that the petitioner is languishing in custody since 30.11.2019. Lastly, it is submitted by the learned counsel for the petitioner that the fact is that the petitioner had rented out the house in question to one Alok Kumar, hence the petitioner is not having any complicity in the matter.

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 petitioner and taking into account the period of incarceration of the petitioner as also the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Vaishali at Hajipur in connection with Sarai P.S. Case No. 411 of 2019.

(Mohit Kumar Shah, J)

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