

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21276 of 2021

Arising Out of PS. Case No.-144 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ganga Sah @ Gangadhar Sah @ Gango Sah S/O Ramvilash Sah @ Ram
Bilash Saw Resident Of Village-Bari Aghu, Gachhi, Ward No. 45, Police
Station-Mufassil, District Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mufassil P.S. Case No. 144 of 2020 instituted for the offences
under Sections 120(B) of the Indian Penal Code and Sections
30(a), 32 and 41 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that total 2,744.445 litres foreign liquor was recovered
from a truck bearing Registration No. BR43G-5392.

Learned counsel for the petitioner submits that
recovery is not from the conscious possession of the petitioner
or from the house of the petitioner rather the said liquor was



recovered from the *dalan* of Bilash Yadav as would be evident from perusal of the seizure list. Further, the petitioner is in custody since 18.01.2021 and charge-sheet has been submitted in this case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 18.01.2021, charge-sheet has been submitted in this case, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Mufassil P.S. Case No. 144 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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