

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25526 of 2021**

Arising Out of PS. Case No.-129 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

=====

GUDDU DAS @ RAVI SHANKAR DAS SON OF NAND KISHOR DAS
R/O VILLAGE- RAMPUR JAIPAL, P.S. BOCHAHAN, DISTRICT-
MUZAFFARPUR

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 27-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Excise Case No. 129 of 2020 registered for the
offences punishable under Sections 30(a), (c), (d), (f), 33 and 36
of the Bihar Prohibition and Excise Act, 2016. He is in custody
since 16.01.2021 and has got one criminal antecedent.

As per the prosecution story, the informant got secret
information that the petitioner has kept illicit liquors at his
house. The informant along with police party reached at the



house of the petitioner but till that time the petitioner had fled away and when the house of the petitioner was searched, total 86.920 liters illicit liquor and several articles used in manufacturing liquor were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the house from which the illicit liquor is said to have been recovered does not belong to this petitioner, he was not arrested on the spot and nothing has been recovered from his conscious possession.

Mr. Md. Fahimuddin, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the quantity of liquor allegedly recovered from a place which according to the petitioner does not belong to him and that the petitioner has remained in custody in connection with this case since 16.01.2021 and the petitioner has got one criminal antecedent, so far as this case is concerned this Court directs release of the petitioner on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Excise Case No. 129 of 2020 (P.R. No. 26 of



2020) subject to the condition as laid down under Section 437
(3) Cr.P.C.

And further condition that the court below shall verify
the criminal antecedent of the petitioner and in case at any stage
it is found that the petitioner has concealed his criminal
antecedent, the court below shall take step for cancellation of
bail bond of the petitioner. However, the acceptance of bail
bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rishi/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

