

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25077 of 2021

Arising Out of PS. Case No.-357 Year-2019 Thana- MOTIPUR District- Muzaffarpur

ASHOK SAH S/o Mahavir Sah R/o village- Jagdishpur Kushahi, P.S.-
Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitu Kumari, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272 and 273 of the Indian Penal Code and sections 30(a) and 41(1) and (2) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, secret information was received by the informant that the six named accused persons including the petitioner herein had joined together and were dealing/trading in liquor on a big scale and in pursuant thereto large quantity had been stored in the *bathan* of Tuntun Rai. On a raid being conducted, it is stated that the accused persons escaped but on search 820.8 litres of IMFL and 175 litres of spirit was recovered.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the person or possession of the petitioner. He has no concern either with any of the named accused persons nor with the accused Tuntun Rai or the seized liquor. The petitioner has no criminal antecedent and is in custody since 6.1.2021. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R. together with chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Motipur P.S. Case no. 357 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur.

(Partha Sarthy, J)

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