

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30441 of 2021

Arising Out of PS. Case No.-37 Year-2020 Thana- WARISNAGAR District- Samastipur

BAIJU DAS Son of Nagina Das Resident of Village- Hajpurwa, P.S.-
Warishnagar, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Choudhary Shyam Nandan
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-12-2021 Heard Mr. Choudhary Shyam Nandan, learned
counsel for the petitioner and learned A.P.P. for the State.

Petitioner seeks regular bail in connection with
Warishnagar P.S. Case No. 37 of 2020 registered for the
offence under Section 30 (a) of the Bihar Prohibition and Excise
Act, 2016.

The allegation is that 242.64 liters of illicit liquor has
been recovered from the hut of the petitioner.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and the alleged liquor has been recovered from the abandoned
house of the petitioner inasmuch as the petitioner along with his
family members reside at some other place i.e. (in brick kiln).
He further submits that illicit liquor has not been recovered from



the conscious possession of the petitioner, he is in custody since 28-01-2021, charge sheet has already been submitted in the case, there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail and has no criminal antecedent.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent of similar nature of offence, he is in custody since 28/01/2021, charge sheet has already been submitted and there is no likelihood that he will abscond or tamper with the evidence, 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. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd ADJ cum Special Judge, Excise, Samastipur in connection with Warishnagar P.S. Case No. 37 of 2020.

(Anil Kumar Sinha, J)

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