

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32188 of 2021**

Arising Out of PS. Case No.-344 Year-2020 Thana- SAKRA District- Muzaffarpur

ABHISHEK KUMAR S/O CHANDRA KISHOR PASWAN R/o village-
Shambhu Nathpur Dholi, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 15-12-2021 Heard Mr. Ganesh Prasad Singh, learned counsel

for the petitioner and Mr. Nagendra Prasad, learned

Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Sakra P.S. Case No. 344 of 2020 registered for the offences
punishable under Sections 30(a)(f), 34 and 33 of the Bihar
Prohibition and Excise Act, 2016.

The allegation as per the First Information Report
is that a total quantity of 140 litres of spirit was recovered
from the hut of Hari Paswan.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he has been
made accused on the basis of disclosure of his name by the



villager before the Police. Learned counsel further submits that spirit has been recovered from the hut of co-accused Hari Paswan and he has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 26649 of 2021. He next submits that the petitioner is in custody since 7.1.2021

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that no spirit has been recovered from the premises and/or conscious possession of the petitioner, the petitioner has got no criminal antecedent, the co-accused from whose hut the illicit spirit was recovered has been granted bail by a co-ordinate Bench of this Court, the petitioner is in custody since 7.1.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Sakra P.S. Case No. 344 of 2020.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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