

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31205 of 2021

Arising Out of PS. Case No.-41 Year-2021 Thana- AMAUR District- Purnia

Md. Yakub Son of Late Md Shakil Resident of Village - Kuraishi Tola
Baraidgah, P.S.- Amour, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-11-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Amaur P.S. Case No. 41 of 2021 giving rise to Special Excise Case No. 97 of 2021 instituted for the offences under Sections 272 and 273 of the Indian Penal Code read with Sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is in custody since 05.02.2021, charge-sheet has been submitted in the case and has got criminal antecedents as



mentioned in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that allegation in the F.I.R. is that 3.750 litres of Indian made foreign liquor and 4 litres country-made liquor was recovered and the petitioner was also found drunk.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and nothing was recovered from his possession.

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 05.02.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Purnea in connection with Amaur P.S. Case No. 41 of 2021 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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