

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32639 of 2021

Arising Out of PS. Case No.-157 Year-2021 Thana- SARAIYA District- Muzaffarpur

PRAMOD SAH Son of Mahendra Sah Resident of Village - Deoriya Kothi,
P.S.- Deoriya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Saraiya Police Station Case No. 157 of 2021, registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is that the police intercepted one tempo, which was being driven by the petitioner, and recovered a total quantity of 35.25 litres of illicit liquor kept in the said tempo.

Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case by the police with oblique motive. He further submits that the petitioner is not the owner of the said tempo and he was driving the same on the instruction of the



owner of the tempo in question and he was not aware that illicit liquor was kept inside the tempo. He next submits that the petitioner is in custody since 27.02.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner is not the owner of the tempo, in question, charge sheet has already been submitted and the petitioner is in custody since 27.02.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, Pramod Sah, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Saraiya Police Station Case No. 157 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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